

01 (JPG)
25.07.2023
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 1533 of 2023

**Moslem Miya & Anr.
-versus
The West Bengal State Election
Commission & Ors.**

**Mr. Debanjan Das,
Mr. Sakhawat Khandakar,
Mr. Swnok Ghosh,
Ms. Swati Jha.
...For the Petitioners.**

**Ms. Sonal Sinha,
Mr. Tarun Kumar Chatterjee,
Mr. Sujit Gupta,
Mr. Sayan Datta,
Mr. Soumen Chatterjee.
...For the Election Commission.**

**Mr. Santanu Kumar Mitra,
Mr. Amartya Pal.
...For the State.**

The petitioners contested the Panchayat General Elections, 2023. They allege violence, vandalism, booth capturing, rigging on the day of the poll.

Complaint was lodged before the Block Development Officer but the same is yet to be disposed of.

The petitioners pray for re-poll.

The petitioners have averred in the writ petition that the supporters of the ruling dispensation attacked their house and put padlock on the entrance door at 6

O' Clock in the morning. Somehow, the petitioners managed to go out but on reaching the polling booth the petitioners noticed that the supporters of the ruling dispensation attacked them with gun, bomb and with sharp weapons. Only one State police was on duty.

The CCTV was also not functioning for a long time.

Further complaint was lodged on 15th July, 2023.

Without going into the merits of the allegation made in the complaint filed by the petitioners, the instant writ petition is disposed of by directing the State Election Commission to look into the complaint filed by the petitioners at the earliest, but positively within a period of ten days from the date of communication of a copy of this order.

A reasoned order shall be passed and communicated to the petitioners immediately thereafter.

The learned advocate for the petitioners are directed to forward a copy of the complaint dated 9th July, 2023 along with all supporting documents and evidences to the State Election Commission at the time of communicating the order of the Court.

The Panchayat Returning Officer is directed to properly preserve the CCTV/Video footages and the ballot papers and produce the same as and when called for.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)