

D/L. 19.
March 6, 2024.
MNS.

WPA No. 734 of 2024
Sri Dipak Das
Vs.
Union of India and others

Mr. Pradeep Kumar Tarafdar

... for the petitioner.

1. Affidavit-of-service filed in Court today be kept on record.
2. Despite service, none appears for the respondents.
3. The present matter does not pertain to any particular election as such and hence an election petition shall not be an appropriate remedy, for which the writ petition is being entertained.
4. The general grievance of the petitioner is that the location which has been designated for the people in the locality where the petitioner lives as the electoral booth, is far off from the residence of majority of the people in the concerned electorate.
5. The petitioner places reliance on a representation given by several residents of the locality, 388 in number, in that regard. However, the said representation to shift the booth closer to the electorate has fallen on deaf ears.

6. Since the petitioner has raised a request for removal of the booth closer to the petitioner's neighbourhood, it is for the Joint Secretary, West Bengal State Election Commission, that is, the respondent no. 2, to consider the same.
7. Accordingly, WPA No. 734 of 2024 is disposed of by directing the respondent no. 2 to look into the matter and consider the representation, which is annexed at page 14 of the writ petition, of the petitioner and other residents of the area within four weeks from the date of communication of this order to the said respondent and to give a written response to the petitioner as to the outcome of the same.
8. If the respondent no. 2 so feels, the respondent no. 2 shall also, for such purpose, give a hearing to the petitioner or the other applicants and/or any other interested person to ascertain the necessity of shifting of the polling booth.
9. There will be no order as to costs.
10. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)