

06.05.2024
Item No.101
Ct. No.238
S.A.

WPA 11671 of 2024

Nazrul Islam Mallik & Ors.

-vs-

Election Commission of India & Ors.

Mr. Pintu Karar

Mr. Saikat Koley

...for the petitioners

Mr. Anuran Samanta

...for E.C.I.

Mr. Suman Sengupta

Mr. Sambuddha Dutta

Mr. Sanatan Panja

...for the respondent no.3

The petitioners have been assigned election duty for the upcoming Loksabha General Election, 2024.

Learned advocate appearing for the petitioners submits that the petitioners are part-time teaching staff and as such no election duty can be assigned to them.

It appears from the pleadings of the writ petition that all the petitioners are State Aided College Teachers, Category-II.

In view of the notification dated December 23, 2019, issued by the Higher Education Department of the State, it cannot be said that the appointment of the petitioners are temporary in nature when the petitioners receive their remuneration from the State exchequer on a regular basis with other benefits, including the age of retirement being 60.

In that view of the matter, I am not inclined to interfere with the election duty assigned to the petitioners by the District Election Officer, Howrah.

The assignment of the petitioners as 1st Polling Officer/Presiding Officer appears to be justified in view of the shortage of polling personnel as disclosed in the report filed by the District Election Officer, Howrah.

In that view of the matter, no interference is called for.

Accordingly, **WPA 11671 of 2024** is dismissed.

Let the copy of the report be kept with the record.

(Kausik Chanda, J.)