

28.05.2024
Ct. No. 5
Sl. No.2
Supplementary
KB

WPA 15053 of 2024

Shri Dhiman Kundu & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Amit Halder
Mr. Debayan Sen

... For the petitioners.

Mr. Somnath Ganguly
Mr. Sougata Mitra
Mr. Somenath Ghosh

...For the State.

Mr. Anuran Samanta

... For the respondent no. 2.

The writ petitioners are aggrieved that upon their representation dated May 26, 2024 no steps have been taken by the following authorities, that is, Chief Election Commissioner, Election Commission of India, District Magistrate, South 24 Parganas, Commissioner of Police, Kolkata Police and the Deputy Commissioner of Police, South Suburban Division.

Matter relates to setting up of temporary party office by the ruling political party within the vicinity of the polling booth which is however prohibited by the rules.

Mr. Amit Halder appearing for the writ petitioners has indicated that within the 200 meters of

the polling booth no party office can be set up. He indicates that temporary party officer or two political parties are set up, within 200 meters of the polling booth, which is in contravention of the statutory provision.

Mr. Anuran Samanta appearing for the Election Commissioner has however submitted on oral instruction that two party offices of two different political parties are situated within 200 meters of the polling booth but according to his instruction those shall be shut down before 48 hours of the polling. He adds, that both the said party offices are functioning for years together.

He submits that those are functioning since long and shall be shut down before 48 hours from the time of polling starts.

Mr. Somnath Ganguly is appearing for the State respondents.

He indicates that there would not be any violation of any rule, in case the party offices, within 200 meters of the polling booth, be closed before 48 hours of polling.

Let the Election Commissioner, ensure closure of the party offices, as indicated in this writ petition, through the proper channels, 48 hours prior to the time of polling, in the next phase.

The writ petition is disposed of.

All parties to act in terms of a copy of the order downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Rai Chattopadhyay, J.)