

ML 1692
18.01.2024
Court. No. 24
GB

W.P.A. 18536 of 2023

Sanjay Kumar Nasakar & Anr.
Vs.
The Secretary of West Bengal Election
Commission & Ors.

Mr. Kiron Sk.

...for the Petitioners.

*Mr. Sirsanya bandopadhyay,
Mr. Arka Kr. Nag*

...for the State.

*Ms. Sonal Sinha,
Mr. Avishek Prasad*

...for the State Election Commission.

Mr. Anuran Samanta

...for the Respondent No.3.

The petitioner no.2 contested the Panchayat General Elections, 2023. Allegation is that, even though she was declared elected, election certificate was not issued in her favour.

From the documents annexed to the writ petition, it appears that the petitioner lodged complaint before the Election Commission on July 15, 2023. The result of the election was declared on July 11, 2023. Had the petitioner any grievance with regard to non-issuance of election certificate, application ought to have been made on the same date. The petitioner ought not to have waited till July 15, 2023 for making representation before the Election Commission.

The conduct of the petitioner suggests that the application was filed as an afterthought after delay of 4 days.

In view of the above, no relief can be granted to the petitioner in the instant case.

The writ petition fails and is hereby dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Amrita Sinha, J.)