

08-02-2024
ct no. 24
Sl.1949
ML
Sayandeep

WPA 18779 of 2023

Niranjan Sihi & ors.

-Versus-

The Secretary of West Bengal Election Commission &
Ors.

Mr. Sabyasachi Chakraborty
Mr. Sandipan Das
Mr. Subhajit Saha
Mr. Kiran Sk.
Ms. Suparna Dutta

...for the petitioners

Mr. Anuran Samanta

...for the respondent No. 3

Ms. Sonal Sinha
Mr. Avishek Prasad

..... for the WBSEC

Mr. Rajesh Kumar Saha

.... for the UOI

The petitioner No. 2 contested the Panchayat General Elections, 2023. Allegation is that the ballot box was not properly sealed and the votes polled were tampered. Complaint was lodged before the Panchayat Returning Officer but the same has not been considered.

The election is question was held on 8th July, 2023 and the result thereof was declared on 11th July, 2023.

Whether the ballot box was properly sealed or not is required to be adjudicated upon adducing evidence. The same cannot be done before the writ Court. The petitioners ought to have approached the competent forum within the stipulated time period. At this point of time, not relief can be granted to the petitioners.

The writ petition fails and is hereby dismissed.

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

(Amrita Sinha, J.)