

SL 102
31.07.2023
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 17359 of 2023

**Soleman Sardar
-versus
The Secretary of West Bengal Election Commission
& Ors.**

**Mr. Sabyasachi Chatterjee
Mr. Sandipan Das
Mr. Sayan Banerjee
Mr. Badrul Karim
Mr. Kiran Sk
Mr. Dipankar Das
Mr. Suman Sarkar
...For the Petitioners.**

**Mr. Lalit Mohan Mahato
Mr. Ziaul Haque
...For the State.**

**Mr. Tarun Kumar Chatterjee
Mr. Sujit Gupta
Mr. Sayan Datta
Mr. Soumen Chatterjee
...For the Election Commission.**

**Mr. Anuran Samanta
... For the respondent no. 3.**

**Mr. Dhiraj Kumar Trivedi
Ms. Susmita Saha Dutta
... For the Union of India.**

The petitioner contested the Panchayat General Elections, 2023.

He raises issues with regard to the manner in which the election process took place.

On a perusal of the writ petition it appears that the averments made in paragraph no. 4 are incomplete.

The learned advocate for the petitioner submits that some more documents ought to have been annexed with the writ petition, which has inadvertently been missed out.

Leave has been sought to withdraw the writ petition with liberty to file fresh petition on the selfsame cause of action.

The submission of the petitioner for not proceeding any further with the writ petition is accepted.

However, the prayer made for filing fresh writ petition on the selfsame cause of action stands refused.

The writ petition fails and is hereby dismissed.

Dismissal of the writ petition will however not stand in the way of the petitioner to approach the appropriate forum by way of an election petition for redressal of her grievances, if so advised.

The CCTV/Video footages and the ballot papers in respect of the concerned constituency shall be properly preserved and be produced before the Court as and when directed.

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

(Amrita Sinha, J.)