

11.01.2022
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W.P.A. (P) 4 of 2022
(Bimal Bhattacharya vs. State of West Bengal & Ors.)

Mr. Bikash Ranjan Bhattacharyya, Sr. Adv.
Mr. Bikram Banerjee
Mr. Sudipto Dasgupta
Mr. Arka Deb Biswas
.... For the Petitioner

Mr. Jayanta Mitra, Sr. Adv.
Mr. Jishnu Saha
Ms. Sonal Sinha
.... For the State Election Commission

Mr. S. N. Mookerjee, Ld. A.G.
Mr. Samrat Sen, Ld. AAAG
Mr. Anirban Ray, Ld. G.P
Mr. Debasish Ghosh
Mr. Nilotpal Chatterjee
.... For the State

Affidavit-in-opposition filed by the State Election Commission and the Affidavit-in-reply filed by the petitioner is taken on record.

Learned counsel appearing for the petitioner has submitted that considering the present Covid situation it will not be in the larger interest to hold the elections of the four municipal corporations namely Siliguri, Chandernagore, Bidhannagar and Asansol on 22nd January, 2022. He has submitted that many of the

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areas of these municipal corporations have been declared as containment zone and even the revised guidelines issued by the Election Commission are not sufficient. He has also submitted that considering the present Covid situation, the elections of these municipal corporations should be deferred initially at least for four weeks.

Learned counsel for the Election Commission has taken the stand that the State has not declared any lockdown, therefore, there is no reason to defer the elections and the revised guideline take care of the concern raised by the petitioner.

Learned counsel for the State has submitted that the issue mainly concerns with the Election Commission.

Having regard to the prevailing Covid situation, counsel for the Election Commission is directed to examine and place on record if sufficient number of persons free from Covid infection are available for deployment on different booths for the purpose of holding elections.

Learned counsel for the State is also directed to place on record the facts and figures relating to the

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Covid situation including positivity rate, percentage of population affected with Covid, rate of increase of Covid affected persons and containment zones in the four municipal corporations where elections are going to be held.

List on 13th January, 2022 as item No. 1.

(Prakash Shrivastava, C. J.)

(Rajarshi Bharadwaj, J.)