

**WPA(P) 142 of 2021
With
CAN 1 of 2021
Susmita Saha Dutta
Vs.
The Union of India and Ors.**

**With
WPA(P) 143 of 2021
Anindya Sundar Das
Vs.
Union of India and Ors.**

**With
WPA(P) 144 of 2021
Priyanka Tibrewal
Vs.
The State of West Bengal and Ors.**

**With
WPA(P) 146 of 2021
Smt. Aparajita Mitra
Vs.
The Union of India and Ors.**

**With
WPA(P) 148 of 2021
With
CAN 1 of 2021
Susheel Kumar Pandey
Vs.
State of West Bengal and Ors.**

**With
WPA(P) 149 of 2021
Marufa Bibi and Ors.
Vs.
State of West Bengal and Ors.
(Through Video Conference)**

**BEFORE: HON'BLE JUSTICE RAJESH BINDAL, CHIEF JUSTICE (ACTING)
HON'BLE JUSTICE I.P. MUKERJI
HON'BLE JUSTICE HARISH TANDON
HON'BLE JUSTICE SOUMEN SEN AND
HON'BLE JUSTICE SUBRATA TALUKDAR**

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WPA(P) 142 of 2021

Ms. Priyanka Tibrewal, Advocate-in-person
with
Ms. Rashmi Singhel, Advocate
... for the petitioner in WPA(P) 144 of 2021.

Ms. Saloni Bhattacharya, Advocate
Mr. Mahfuz Murshed, Advocate
...for the petitioner in WPA(P) 142 of 2021.

Mr. Bikash Ranjan Bhattacharya, Senior Advocate with
M/s. Uday Sankar Chattopadhyay, Debapriya Samanta,
Pronay Basak and Santanu Maji, Advocates
...for the petitioner in WPA(P) 143 of 2021.

Mr. Sukanta Ghosh, Advocate
... for the petitioner in WPA(P) 146 of 2021.

Mr. Bikash Ranjan Bhattacharya, Senior Advocate with
Ms. Saloni Bhattacharya and Mr. Samim Ahammed, Advocates
... for the petitioner in WPA(P) 149 of 2021.

Mr. Kishore Datta, Advocate General,
Mr. Abhratosh Majumder, Additional Advocate General and
Mr. Sayan Sinha, Advocate
...for the State.

Mr. Y.J. Dastoor, Additional Solicitor General with
M/s. Phiroze Edulji, Bhaskar P. Banerjee, Arijit Majumder
and Ms. Amrita Pandey, Advocates
...for the Union of India.

M/s. Arvind Datar with Sidhant Kumar, Manyaa Chandok,
Dipayan Chaudhury and Suvrodal Choudhury, Advocates
...for the ECI.

Dated: May 28, 2021

The Court:

1. In WPA(P) 144 of 2021 the petitioner, Ms. Priyanka Tibrewal, who appears in person submitted that she had filed affidavit-in-reply to the affidavit-in-opposition filed by the State. Along with that affidavits of about 200 persons, who are not being allowed to go back to their houses, have been annexed. It is claimed that in fact, some of their family members are still living in the houses whereas some family members who had participated in the election process supporting a particular political party, are not being allowed to enter the area.

2. Mr. Kishore Datta, learned Advocate General submitted that copy of the affidavit-in-reply has not been received by him. This fact is sought to be disputed by Ms. Tibrewal but she undertakes to supply the copy of the affidavit-in-reply in the office of the learned Advocate General.

3. We make it clear that leaving aside whatever is stated in the petition or in the affidavit-in-opposition, it shall be the responsibility of the officers concerned to place entire facts before the Court pertaining to any crime or any disturbance which has taken place in that area post State Assembly Elections including the allegations of the petitioners. Failure to their part to state complete and correct facts before the Court, may result in serious consequences.

4. Adjourned to May 31, 2021. To be taken up at 11 A.M.

[Rajesh Bindal, C.J.(A)]

[I.P. Mukerji, J.]

[Harish Tandon, J.]

[Soumen Sen, J.]

[Subrata Talukdar, J.]