

s/L 06
13.04.2026
Court No.25
B.K.N

W.P.A. 9020 of 2026
Smt. Rupa Banerjee Nee Samajpati
Vs.
The Election Commission of India & Ors.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.,
Mr. Shamim Ahmed,
Mr. S. Chakrobarty,
Mr. Subhasis Chakroborty,
Mr. Aditya Mondal,
Ms. Sushmita Kumari Singh,
Mr. Washik Akhtim Ahmed

... for the Petitioner.

Mr. Soumya Majumdar, Sr. Adv.,
Ms. Anamika Pandey

... for the Respondents (E.C.I).

1. Affidavit of service filed by the petitioner be kept with the record.
2. The petitioner has filed the present application challenging the order issued by the District Election Officer/District Magistrate wherein the petitioner has been appointed as Presiding Officer of the polling booth.
3. Learned senior counsel, Mr. Bikash Ranjan Bhattacharya appearing for the petitioner draws the attention of this Court to the communication dated 16th/17th February, 2010 issued by the Under Secretary to the Election Commission of India wherein it is mentioned that the Commission further desired that a Group - A equivalent senior officers including teaching staffs of the universities, colleges should not be drafted for 'Polling duties' in polling station premises without specific reasons to be recorded in writing by the District Election

Officer, where such appointments have become unavoidable.

4. Learned counsel for the petitioner submits that in spite of the said guidelines set up by the authority, the petitioner admittedly is working as Assistant Professor in the college has been assigned the duty of the presiding officer. He prays for a direction upon the respondent authorities to act in accordance with the communication 16th/17th February, 2010 issued by the Election Commission of India.
5. Per contra Mr. Soumya Majumdar, learned senior counsel appearing for the Election Commission of India submits that the said letter also provides that for appointment of the teaching staffs of the universities, colleges can be done in unavoidable circumstances. He prays for time to produce the record to prove that due to some unavoidable circumstances, the petitioner has been appointed as Presiding Officer of the polling station.
6. In view of the above, the case is adjourned. Let the matter appear on 16th April, 2026 under the same heading retaining its position.
7. The petitioner is directed to come with the list of the members petitioner on the next date fixed.

(Krishna Rao, J.)