

S/L 16
22.04.2026
Court. No. 25
sourav

WPA 9311 of 2026

Tarak Chandra Sarkar
Vs.
The Election Commission of India & Ors.

Mr. Lulful Haque
Ms. Anita Khatri

...for the petitioner.

Ms. Anamika Pandey
Ms. Ayushi Mishra
Ms. Rishika Pandey

...for E.C.I.

1. The grievance of the petitioner in the present writ application is that in spite of one of the political parties authorizes the petitioner to contest the West Bengal Assembly Election, 2026 and when the petitioner has filed the nomination form along with the authorization of the concerned political party, the returning the officer without considering the authorization of the political party has allowed the nomination paper of the petitioner as an independent candidate instead of the concerned political party candidate.
2. Learned counsel for the Election Commission of India has submitted the report after serving the copy to the learned counsel for the petitioner. Learned counsel for the ECI submits that after filing of the nomination, scrutiny has also been completed, ballot papers have been prepared and dispatched to the respective polling booths and at this stage if any order is passed, it will be difficult for the authority for taking action for allowing he petitioner to be the candidate of the political party.

3. In view of the above, this Court finds that the petition is to be disposed of only after exchange of affidavits. Let the affidavit-in-opposition be filed within a period of four weeks. Reply, if any, thereto be filed within two weeks thereafter.
4. List this matter in the Combined Monthly List of July, 2026.

(Krishna Rao, J.)