

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCivil Appeal No. 7369/2026

TD RAJEGOWDA

Appellant(s)

VERSUS

DN JEEVARAJA & ORS.

Respondent(s)

(IA No. 144161/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 144165/2026 - EXEMPTION FROM FILING O.T., IA No. 145667/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 144156/2026 - STAY APPLICATION)

Date : 11-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Appellant(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Mukul Rohatgi, Sr. Adv.
Mr. Devdatt Kamat, Sr. Adv.
Mr. Tushar Giri, AOR
Mr. Rohan Hosmath, Adv.
Mr. Siddharth Anil Khanna, Adv.
Mr. Ritik Arora, Adv.
Mr. Shivam Mishra, Adv.
Mr. Sabir Kachi, Adv.
Mr. Harsh Pandey, Adv.
Mr. Danish Iqbal, Adv.

For Respondent(s) Mr. V. Giri, Sr. Adv.
Ms. Sanjana Saddy, AOR
Mr. Harshed Sundar, Adv.

UPON hearing the counsel, the Court made the following
O R D E R

1. The judgment dated 06.04.2026 passed by the High Court of Karnataka at Bengaluru in Election Petition No. 20/2023 goes beyond the scope of Guideline 15.25 of the Handbook for Returning Officers, 2023.

2. As per the material placed before us today by the learned senior counsel appearing for the appellant we find that, pursuant to the impugned judgment dated 06.04.2026 passed by the High Court, the Returning Officer not only undertook re-verification of the 279 rejected postal ballots along with recounting of the total 1530 postal ballots, which was as directed by the High Court, but also re-verification of 1251 other postal ballots, which were earlier held to be valid.
3. By doing so, it appears that the Returning Officer deducted 248 postal ballot votes cast in favour of the appellant from out of the 562 postal ballot votes earlier counted in his favour and 2 postal ballot votes were added to the 689 postal ballot votes earlier counted in favour of respondent No. 1.
4. On the strength of this exercise, which went beyond the scope of what was directed by the High Court, we are informed certain further steps have been taken. As such further steps are, *prima facie*, without legal foundation, in the light of what we have recorded above, we are of the opinion that the matter requires deeper examination.
5. Issue notice, returnable on 21.05.2026.
6. Ms. Sanjana Saddy, learned counsel, who is present in Court on advance notice/caveat, waives service and accepts notice on behalf of respondent No.1. Hence, notice need not be served on the said respondent.
7. Service shall be effected upon the unrepresented respondents by all modes, including *dasti*.

8. Pleadings shall be completed so as to enable this Court to take up the matter for hearing on the next date itself.
9. The relevant records pertaining to the exercise undertaken pursuant to the impugned judgment passed by the High Court shall be produced by the Election Commission on the next date of hearing.
10. All steps taken pursuant to the aforestated exercise by the Returning Officer, shall remain in abeyance till the next hearing. If that requires restoration of the *status quo ante*, steps shall be taken in that regard forthwith.

(BABITA PANDEY)
AR-CUM-PS

(PREETI SAXENA)
COURT MASTER (NSH)