

ITEM NO.1

COURT NO.1

SECTION PIL-W

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Writ Petition(s)(Civil) No(s).1089/2025

MOSTARI BANU

Petitioner(s)

VERSUS

THE ELECTION COMMISSION OF INDIA &amp; ORS.

Respondent(s)

[SIR MATTERS RELATED TO THE STATE OF WEST BENGAL] .....  
[ALONGWITH LETTER DATED 08.03.2026 RECEIVED FROM HON. THE CHIEF JUSTICE, CALCUTTA HIGH COURT.]

IA No. 287398/2025 - GRANT OF INTERIM RELIEF

WITH

W.P.(C) No. 737/2025 (PIL-W)

FOR STAY APPLICATION ON IA 183939/2025

FOR PERMISSION TO FILE APPLICATION FOR DIRECTION ON IA 303592/2025

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 1908/2026

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 27103/2026

FOR EXEMPTION FROM FILING O.T. ON IA 27104/2026

IA No. 27103/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 1908/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 27104/2026 - EXEMPTION FROM FILING O.T.

IA No. 303592/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

IA No. 183939/2025 - STAY APPLICATION

W.P.(C) No. 1074/2025 (PIL-W)

IA No. 72504/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 26838/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 1884/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 26839/2026 - EXEMPTION FROM FILING O.T.

IA No. 303210/2025 - STAY APPLICATION

IA No. 284001/2025 - STAY APPLICATION

W.P.(C) No. 1088/2025 (PIL-W)

FOR STAY APPLICATION ON IA 287351/2025

IA No. 287351/2025 - STAY APPLICATION

W.P.(C) No. 1216/2025 (PIL-W)

FOR FOR CLARIFICATION/DIRECTION ON IA 317082/2025

IA No. 317082/2025 - CLARIFICATION/DIRECTION

W.P.(C) No. 119/2026 (PIL-W)

FOR ADMISSION

IA No. 30760/2026 - EARLY HEARING APPLICATION

IA No. 30759/2026 - GRANT OF INTERIM RELIEF

IA No. 30347/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON

W.P.(C) No. 126/2026 (PIL-W)

FOR EXEMPTION FROM FILING O.T. ON IA 32266/2026

IA No. 32266/2026 - EXEMPTION FROM FILING O.T.

W.P.(C) No. 129/2026 (PIL-W)

FOR ADMISSION

W.P.(C) No. 159/2026 (PIL-W)

Diary No(s). 68938/2025 (PIL-W)

FOR ADMISSION

IA No. 66269/2026 - CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS

Date : 01-04-2026 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE JOYMALYA BAGCHI  
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) Mr. V. Giri, Sr. Adv.  
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Mr. Muhammad Ali Khan, Adv.  
Mr. Azhar Assees, Adv.  
Mr. Anand B. Menon, Adv.  
Mr. Amit Bhandari, Adv.  
Ms. Rizwana R. Raj, Adv.  
Mr. Omar Hoda, Adv.  
Mr. Shaswat Jena, Adv.  
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Mr. Ritu Raj, Adv.  
Mrs. Kanika, Adv.  
Mr. Vaibhav Singh, Adv.  
Mr. Anantha Narayana M.G., AOR

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

1. The paperbook of an unnumbered I.A. in Writ Petition (C) No.1216/2025 has been handed over today in the Court. Subject to

curing of defects, the Registry is directed to list the application on the date fixed. Copies thereof may be circulated to the counsel for the parties in advance with liberty to file counter affidavit, if required.

2. On 10.03.2026, certain directions were issued by this Court through a self-speaking order, noticing the disposal of a large volume of objections by more than 500 Judicial Officers of the State of West Bengal along with 200 Officers from the States of Orissa and Jharkhand, to whom the extraordinary exercise of adjudicating the said objections in the ongoing SIR in the State of West Bengal was entrusted. Through that order, Hon'ble the Chief Justice of the High Court at Calcutta was requested to identify some former Chief Justices/Judges of the High Court for the purpose of constitution of Appellate Tribunals to hear appeals by the party(s) aggrieved by the orders passed by the Judicial Officers. In addition, directions with respect to payment of honorarium, travelling allowance, boarding and lodging, etc. for the Judicial Officers were also issued.

3. After the order dated 10.03.2026, we have received two communications from Hon'ble the Chief Justice of the High Court at Calcutta.

4. *Vide* the letter dated 21.03.2026, the learned Chief Justice updated this Court about the disposal of objections by the Judicial Officers, besides the proposal to publish the first supplementary roll. Hon'ble the Chief Justice also dealt with certain other issues in the said communication, which have since been addressed.

5. There is another communication dated 31.03.2026, which we received yesterday from the learned Chief Justice, informing us that, as on 31.03.2026 till 4:04 P.M., 46,60,135 objections have been decided in the entire state, against the total number of 60,06,675 objections filed. We are informed that as of today, the disposal has crossed 47,30,000.

6. The letter further points out that on 20.03.2026, the Election Commission of India has notified the constitution of 19

Appellate Tribunals in the State. These Appellate Tribunals are headed by former Chief Justices/Senior Judges of the High Court. A team of representatives from the High Court, the Election Commission of India, and the State of West Bengal has visited various locations in order to identify a suitable premises for the Appellate Tribunals. Ultimately, in this regard, 'Dr. Shyama Prasad Mukherjee National Institute of Water and Sanitation, Diamond Harbor Road, Joka, Kolkata', which is an institute run by the Department of Drinking Water and Sanitation, Ministry of Jal Shakti, Government of India, was selected since the said building was found ready to move and consists of 21 chambers. We are informed by Mr. Dama Seshadri Naidu, learned Senior Counsel for the Election Commission of India, that necessary permission from the Ministry of Jal Shakti, Government of India has been obtained, initially for a period of eight weeks, so that the Appellate Tribunals become functional immediately. He further informs that the orientation/training to the Presiding and Member Judges of the Appellate Tribunals will be undertaken during the course of the day, so that they can conveniently handle the software dealing with the appeals which have been filed online as well as offline.

7. It goes without saying that, as and when required, the Election Commission of India will either seek further extension from the Ministry of Jal Shakti and/or identify alternative premises in consultation with the parties.

8. We, however, clarify that, in any case, the Appellate Tribunals shall function at Calcutta.

9. The issue of alleged non-availability of 'reasons' for rejection of the objections by the adjudicating authority, namely, the Judicial Officers, is also highlighted by the learned Chief Justice in the communication dated 31.03.2026. In this regard, Mr. Naidu has informed us that it will be ensured that the Appellate Tribunals have access to the records submitted by the parties before the Judicial Officers, for deciding the appeals that may be filed (i) by persons whose names have been excluded from the Voters List; or (ii) by the authorities of the Election Commission of

India, who may be aggrieved by the inclusion of names by the adjudicatory authorities.

10. To eliminate any doubt, we request the Appellate Tribunals to revisit the full records, including the reasons assigned by the Judicial Officers while adjudicating the objections, before making a decision on the appeals filed before them, and also to inform the parties of these reasons. The Appellate Tribunals are free to evolve their own procedures in accordance with the principles of natural justice, and are requested to adjudicate the appeals after providing the parties with a fair opportunity of being heard.

11. The only other issue raised by Hon'ble the Chief Justice of the High Court is regarding non-payment of honorarium, along with travelling, boarding, and other incidental expenses. In this regard, Mr. Naidu has placed on record a communication dated 25.03.2026 addressed to the Chief Electoral Officer, West Bengal, directing him to release the necessary payments to the Members of the Appellate Tribunals and ancillary staff.

12. It may also be brought on record that the learned Chief Justice has informed us that the pending objections are likely to be adjudicated by 07.04.2026. Keeping the aforesaid date in mind, post these matters on 06.04.2026 at 4:00 P.M.

(SATISH KUMAR YADAV)  
ADDITIONAL REGISTRAR

(PREETHI T.C.)  
ASSISTANT REGISTRAR