

ITEM NO.42

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 & 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)

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)

IA No. 287351/2025 - STAY APPLICATION

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

IA No. 317082/2025 - CLARIFICATION/DIRECTION

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

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

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

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. 129/2026 (PIL-W)

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

Date : 10-03-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R. MAHADEVAN
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) :Mr. Amales Ray, Sr. Adv.
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Petitioner-in-person

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Mr. Amit Bhandari, Adv.
Mr. Omar Hoda, Adv.
Ms. Eesha Bakshi, Adv.
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For Respondent(s) : Mr. Dama Seshadri Naidu, Sr. Adv.
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Mr. Aman Mehta, Adv.
Mr. Anuj Udupa, Adv.
Mr. Udit Dediya, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Raman Yadav, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Arvind Kumar Sharma (AOR), Adv.

Mr. Barun Kumar Sinha, Adv.
Mrs. Pratibha Sinha, Adv.
Mr. Sneh Vardhan, Adv.
Mr. Rakesh Mudgal, Adv.
Mr. Chhail Bihari Singh, Adv.
Mr. Pankaj Kumar Shukla, Adv.

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

I.A. No.72504/2026

1. No ground to entertain this application is made out. The same is, accordingly, dismissed.

Main Petitions

2. In continuation of the order dated 24.02.2026, Hon'ble the Chief Justice of the High Court at Calcutta, through his latest communication dated 10.03.2026, has informed that 10,16,000+ objections have been disposed of till the evening of 09.03.2026. He has further informed that 500+ judicial officers from West Bengal, duly supplemented by 200 officers from Odisha and Jharkhand, have been deployed and are working day and night. The communication states that, as of 08.03.2026, 709 login IDs have been created to facilitate the smooth mobilisation and redeployment of judicial officers in some sensitive districts. However, the judicial officers, through Hon'ble the Chief Justice, have expressed an urgent concern, which seems to have been created due to some mistake at the level of the Election Commission of India. The same has been brought to the notice of Mr. Dama Sheshadri Naidu, learned senior counsel, representing the Election Commission of India, in order to provide full logistic support, including the creation of prompt login IDs, as and when required, so that there is an optimum utilisation of the services of the judicial officers to whom the task has been entrusted.

3. Learned senior counsel for the Election Commission of India assures that the same shall be rectified immediately without any delay. We strongly recommend that the Election Commission of India provide full logistic support to the High Court at Calcutta and all the judicial officers in the completion of the responsibilities which we have assigned to them through our order dated 24.02.2026.

4. The report further informs that repeated video conferences are being held with District Judges, and they have been duly sensitized about the importance of this exercise. Necessary directions have also been issued to judicial officers; their leave has been cancelled, and the judicial officers are working on holidays, including on Sunday.

5. Hon'ble the Chief Justice of the High Court at Calcutta has further informed that training sessions have been organised through video-conferences on several occasions, and officers from Odisha and Jharkhand have also been given training through video-conferencing.

6. The State Government has been directed to provide security, conveyance and accommodation to every deployed officer throughout this exercise. Though we have no reasons to doubt that the State Government will provide all the necessary facilities, by way of abundant precaution, we direct the State Government that all necessary facilities shall be provided to the officers for their smooth functioning.

7. Hon'ble the Chief Justice of the High Court at Calcutta has further informed that all orders and updates have been disseminated in real time via the High Court's official Telegram Group and email

across all districts simultaneously.

8. Adverting to the issues flagged by Hon'ble the Chief Justice of the High Court at Calcutta and which are required to be addressed, we deem it appropriate to issue the following directions:

(i) The Election Commission of India will ensure that no mandatory tab etc., which might disrupt the process, is introduced unless approved by Hon'ble the Chief Justice of the High Court at Calcutta.

(ii) The technical issues in the portal causing disruptions, prior to 07.03.2026, will be effectively addressed, ensuring that no such disruption takes place.

(iii) New login IDs will be created, as and when required for the judicial officers, promptly and without wasting any time.

9. During the course of hearing, learned senior counsel on behalf of the petitioners have pointed out two important issues; (i) the mechanism of appeal by those persons, whose claim for inclusion in voter list has been rejected by the judicial officers; and (ii) the publication of the supplementary list, particularly when more than 10,16,000+ objections have already been disposed of.

10. As regards the first issue, namely, provision of appeal, our order dated 24.02.2026, in no uncertain terms, points out that the orders passed by the judicial officers will not be subjected to appeal before any Executive/Administrative Officer.

11. That being so, Hon'ble Chief Justice of the High Court at Calcutta may request some former Chief Justices and as many former Judges of the High Court, preferably the High Court at Calcutta or

of the neighbouring States, who shall be notified as the Appellate Tribunal/Tribunals. The Election Commission of India will issue a notification in consultation with Hon'ble the Chief Justice of the High Court at Calcutta, notifying the former Chief Justices/Judges (or former Judges alone, if no former Chief Justice is willing to accept such assignment) as the Appellate Tribunal/Tribunals.

12. We also request Hon'ble the Chief Justice of the High Court at Calcutta to fix the expenses for travel and boarding as well as honorarium and other incidental expenses payable to the former Chief Justices/Judges, who graciously accept the responsibility, referred to above. Such expenses/honorarium and other facilities may be fixed in consultation with the Election Commission of India. The entire expenditure shall be borne by the Election Commission of India.

13. Similarly, we request Hon'ble the Chief Justice of the High Court at Calcutta to fix the honorarium and overtime pay for the serving/former judicial officers, also, including TA/DA, etc., especially when more than 200 such officers have been deputed from the neighbouring States. The recommendations made by Hon'ble the Chief Justice of the High Court at Calcutta, in this regard, shall be final and shall be implemented without any delay.

14. Insofar as the issue of publication of the supplementary lists is concerned, both sides shall be at liberty to approach Hon'ble the Chief Justice of the High Court at Calcutta for the publication of the supplementary list of the persons whose objections already stand disposed of. Once the Hon'ble Chief Justice of the High Court at Calcutta makes recommendations to this effect, the Election

Commission of India shall do the needful immediately.

15. Post the matters for further consideration on 24.03.2026.

**(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS**

**(PREETHI T.C.)
ASSISTANT REGISTRAR**