

OD 12

WPO/296/2024

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

AVIJIT DE BHOWMICK
VS
THE ELECTION COMMISSION OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date: 26th April, 2024.

Appearance:
Mr. Abhimanyu Banerjee, Adv.
Mr. Sourav Mukherjee, Adv.
...for the petitioner

Mr. Anuran Samanta, Adv.
...for the ECI

The Court: Learned counsel for the petitioner submits that the petitioner had applied for rectification of his voter's identity card but the current status of the same is being shown as rejected, against which the present writ petition has been preferred.

Learned counsel appearing for the Election Commission of India hands over certain documents and submits that the concerned officer visited the spot but initially could not find the petitioner. Subsequently the petitioner was informed to appear before the concerned authority with certain original documents which the petitioner did not do, leading to the rejection of this application for rectification of the voter's identity card.

Learned counsel for the Election Commission submits that in terms of the communication dated April 1, 2024, a copy of which is also filed in Court today, the petitioner may apply for such rectification afresh, upon which the respondent authorities are agreeable to process the same subject to compliance of all formalities by the petitioner.

In view of such fair stand taken by the respondent authorities, WPO/296/2024 is disposed of by granting liberty to the petitioner to apply afresh for rectification of his voter identity card. If such an application is made, the respondent authorities shall process the same in accordance with law without being prejudiced in any manner by the previous rejection which has been impugned in the present writ petition and, upon compliance of due formalities by the petitioner, shall carry out such rectification in the voter's identity card of the petitioner.

No order as to costs.

Urgent certified website copy of this order, if applied for, be made available to the parties subject to compliance with the requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)