

30.03.2026
Item No.20
Ct. No.1
KS

W.P.A. (P) 49 of 2026
Sri Tarun Kumar Biswas
Vs.
The State Election Commission, West Bengal & Ors.

Mr. Anirban Majumder
..... For the Petitioner
Mr. Nilotpal Chatterjee
Mr. Suman Basu
.....For the K.M.C.
Ms. Sonal Sinha
Mr. Sandipan Das
.....For the State Election Commission

DICTATED BY SUJOY PAUL, CJ.:

1. Parties are represented through their respective learned counsels.
2. The principal prayer in this PIL is to direct Election Commission, West Bengal to conduct independent enquiry into false and suppressed disclosure of assets and liabilities made by respondent/Councillor in the affidavit filed for the election to the Kolkata Municipal Corporation.
3. Learned counsel for the petitioner fairly informed that election had already taken place and the respondent has already been elected.

4. In our considered opinion, the said ground can only be entertained in an election petition.
5. On repeated specific query from the Bench as to how this PIL can be entertained when aggrieved person has remedy to file a election petition for the present grievance, no answer is forthcoming.
6. We find no reason to entertain this PIL and accordingly is dismissed by reserving liberty to the petitioner to approach the appropriate forum, if law so permits.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)