

03.07.2026
Court No.25
D/L No.65
S. Gayen

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 11029 of 2026
Quaraisha Yeasmin & Ors.
Versus
The Election Commission of India & Ors.

Mr. Aniruddha Bhattacharya
Mr. Wasim Akram
Ms. Anushka Bose

...for the Petitioners

Ms. Anamika Pandey

...for the ECI

Ms. Sudipa Banerjee
Ms. Sardah Sha

...for the State

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners have filed an appeal before the SIR Appellate Tribunal against the order of delist of their names from the voter list. The petitioners have approached before the Hon'ble Supreme Court and the Hon'ble Supreme Court by an order dated April 13, 2026 passed the following order:-

"14. Finally, the counsel for the petitioners in WP (C) No. 462/2026 submits that an appeal has already been field before the Appellate Tribunal. In our considered view, the rest of the apprehensions expressed in this writ petition are thus premature in light of the reasons set out above. It goes without saying that if the petitioners' appeal is allowed, the necessary consequences as enumerated shall follow. The petitioners, if so advised, may therefore approach the Appellate Tribunal before whom their appeal is listed and make

out a case of out of turn hearing. It is clarified that we have not expressed any opinion on merits of the case.”

3. Subsequently, the petitioners have approached the learned Tribunal and found that it has been recorded as ‘excluded of electoral roll’ on April 21, 2026. Thereafter, the petitioners have received a communication from the SIR Appellate Tribunal, which reads as follows:-

“Received a copy of the communication of the Ld. Counsel Mr. Wasim Akram, Advocates, Supreme Court of India containing a paragraph of the order of the Hon’ble Supreme Court, delivered in W.P. (C) 462/2026 wherein it is stated that the petitioner(s) may approach the Appellate Tribunal making out a case of out of turn hearing. This communication has been received through the Hon’ble Chief Justice (Retd.), High Court, Calcutta and presently acting as an Appellate Authority of Appellate Tribunal.

It is kept on record that necessary action, in this regard will be taken as and when individual application from the respective appellant for expeditious hearing of the appeal on out of turn basis is received as this end.”

4. The learned counsel for the petitioners submits that due to delist of the names of the petitioners, the State Authorities have not providing any further facilities and prays for expeditious disposal of the appeal pending before the learned SIR Appellate Tribunal.

5. Heard the learned counsel for the respective parties and considered the materials on record.
6. The Appellate Tribunal is requested to consider and dispose of the appeal preferred by the petitioners as early as possible, preferably within a period of one month from the date of receipt of this order.
7. Accordingly, **WPA 11029 of 2026** stands **disposed of**.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
9. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all requisite formalities.

(Krishna Rao, J.)