S/L 14
20.11.2026
Court. No. 25
Sourav

WPA 32078 of 2026

Husain Ahmad & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Ali Ahsan Alamgir
Ms. Soma Mal
Ms. Rabia Khatoon
Ms. June Modak

... for the petitioners.

Mr. Ranajit Talukdar

... for the State.

Ms. Anamika Pandey

... for E.C.I.

1. The petitioners have filed the present writ application praying for a direction upon the SIR Tribunal for disposal of the appeal filed by the petitioners against the deletion of the names of the petitioners from the voter list.

2. The petitioner no. 2 also prays for a direction upon the respondent authorities for providing the domicile certificate pending disposal of the appeal before the SIR Tribunal.

3. It is submitted by the learned counsel for the petitioners that the petitioners are the father and son. The petitioner no. 1 had participated in the written examination for the post of Constable in the Central Armed Police Force and accordingly, he passed the written examination and he has been shortlisted for the physical examination which is scheduled to be held on December 1, 2026.

4. The petitioners submit that as the names of the petitioners have been deleted from the voter list, accordingly, the authorities are not providing the domicile certificate to the petitioner no. 1 which is

compulsory to be produced before the authority on the date of physical examination i.e., on December 1, 2026.

5. Learned counsel for the petitioners prays for a direction upon the respondent authorities for providing the domicile certificate on temporary measure till the disposal of the appeal by the SIR Tribunal. He further submits that in case, the petitioner failed to succeed in the appeal, he will surrender the domicile certificate, if any, issued in favour of the petitioner.

6. Learned counsel appearing for the State submits that the petitioners have already preferred an appeal before the SIR Tribunal and a direction can be issued upon the SIR Tribunal for disposal of the appeal and if the petitioners will succeed in the appeal, the authority will consider the request of the petitioners for grant of domicile certificate.

7. Learned counsel for the ECI submits that if a direction is issued to the Tribunal, the Tribunal will pass appropriate order in accordance with law in the appeal preferred by the petitioners against the deletion of the names from the voter list.

8. Heard the learned counsel for the respective parties. Perused the materials on record.

9. It is found that being aggrieved and dissatisfied with the deletion of the names of the petitioners from the voter list, both the petitioners have preferred an appeal before the SIR Tribunal and the same is pending before the Tribunal since the month of April, 2026. In the meantime, the petitioner no. 1 has participated in written examination for the post of Constable in the Central Armed Police Force and he has succeeded in the said

examination and now, he has to appear in the physical test which is to be held on December 1, 2026 and at the time of appearing in the physical test, the petitioner no. 1 has to produce the domicile certificate but due to deletion of the name of the petitioners from the voter list, the authorities are not providing the domicile certificate.

10. Considering the above, the appellate tribunal is requested to dispose of the appeal filed by the petitioners on April 5, 2026 as early as possible preferably within a period of three weeks from the date of receipt of this order taking into consideration of the urgency as mentioned above.

11. It is found from the record that on the earlier occasion, the authorities have provided the domicile certificate to the petitioner but at this state, the authorities are not providing the domicile certificate to the petitioner on the ground of deletion of the name of the petitioner from the voter list.

12. In view of the above, the respondent no. 8, i.e., the Sub-Divisional Officer, Jangipur, Murshidabad is directed to provide the domicile certificate to the petitioner within a week from date on interim measure subject to submitting an undertaking by the petitioner that in case if the petitioner failed to succeed in the appeal preferred before the SIR Tribunal, the petitioner will surrender the said certificate before the respondent no. 8 or the competent authority within a week after the dismissal of the appeal, if any by the SIR Tribunal.

13. With the above direction, WPA 32078 of 2026 is disposed of.

14. It is made clear that issuance of the domicile certificate subject to eligibility of the petitioner other than the name of the petitioner is deleted from the voter list.

15. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)