

Form J(2)
Sl.No.7
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In the High Court at Calcutta
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side

Present:

The Hon'ble Justice Aniruddha Roy

WPA 644 OF 2026

Sri Amjad Hossain

Vs.

The Union of India & Ors.

For the petitioner : Mr. Biproyoti Bhowmik, Adv.

For the Respondent Nos. 1
: Mr. Tridip Saha, Adv.
Mr. Saurab Kar, Adv.

For the Respondent ECI
: Ms. Anamika Pandey Adv.(VC),
Mr. Ghyanshyam Pandey Adv. (VC).

Heard on : May 14, 2026

Judgment on : May 14, 2026

[In Court]

Aniruddha Roy, J. :

1. Mr. Biproyoti Bhowmik, learned Advocate appears for the petitioner.

2. Mr. Saurab Kar, learned Advocate led by Mr. Tridip Saha, learned Advocate appears for the respondent no.1.
3. Ms. Anamika Pandey, learned Advocate (VC) appears for the Election Commission of India.
4. Referring to the Work Permit, **Annexure-P17 at page 57** and the work contract, **Annexure- P 18 at page 59** to the writ petition petitioner submits that, the name of the petitioner has been deleted from the **Voters' List** on **March 27, 2026** as would be evident from **page 26** to the writ petition. The petitioner has filed an **SIR Appeal** bearing **No.APS2501G310326321841** (hereafter, the SIR Appeal filed by the petitioner).
5. The petitioner submits that, he has been working as a mason at Bhutan. In the event, the appeal is not disposed of, the petitioner shall not be able to produce any valid citizenship document before its employer and even at the entry point of Bhutan as per the prevailing relevant Rule/Rules of Immigration.
6. The petitioner prays for an early disposal of his SIR Appeal. In support, the petitioner has relied upon two orders passed by the Hon'ble Supreme Court, which are as follows :
 - a) An order dated **April 20, 2026** , **In the matter of : Monowara Khatun -vs.- The Election Commission of India & Ors.** rendered in **Writ Petition (s) (civil) No(s).496 of 2026**, where it has been observed as under :

“1. The petitioner, being aggrieved by her exclusion from the voter list in the SIR process, is said to have already approached the Appellate Tribunal on 03.04.2026. We dispose of the instant writ petition with a request to the Appellate Tribunal to accord out of turn hearing and decide the petitioner’s appeal at the earliest.

2. Pending application(s), if any, shall stand closed.”

b) An order dated **April 24, 2026, In the matter of : Mostari Banu**

–vs.- The Election Commission of India & Ors. rendered in **Writ**

Petition(s) (Civil) No(s). 1089 of 2025, where the Hon’ble

Supreme Court had observed as under :

“ 1. Most of the issues have been comprehensively answered through our order dated 13.04.2026 passed in these proceedings. However, we understand that some issues will continue to arise on a day-to-day basis, which may require the urgent attention of either the Hon’ble Chief Justice of the Calcutta High court or the Appellate Tribunals. We, therefore, grant liberty to the petitioners/applicants/intervenors or other stakeholders/similarly placed persons or the applicants in IA No.125518/2026 and IA No.72026/2026 to :

- (i) Approach the Hon’ble Chief Justice of the High Court on the administrative side for redressal of any pending issues,*
- (ii) Similarly, if the matter requires judicial intervention, they shall be entitled to approach the High Court on the judicial side,*
- (iii) As regards those petitioners/applicants/intervenors or other stakeholders/similarly placed persons, who have approached the Appellate Tribunals, they may seek an out-of-turn hearing of their appeals based on urgency, if any, in terms of the order passed by this Court separately vide order dated 13.04.2026.*
- 2. IA No. 125518/2026 and IA No.72026/2026 are disposed of.*
- 3. List the main matter on 11.05.2026.”*

7. In view of the above, the SIR appellate tribunal is requested to dispose of the said SIR Appeal, filed by the petitioner, as expeditiously as possible.

8. Accordingly, the writ petition, **WPA 644 of 2026** stands **disposed of**, without any order as to costs.

9. Parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Aniruddha Roy, J.)