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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4383/2026 & CM APPL. 23019/2026**

JAYANTI DEY

.....Petitioner

Through: Petitioner in-person.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Ms Manisha Agrawala Narain, CGSC
with Mr. Nipun Jain & Ms. Aditi
Singh, Advocate for UoI.
Mr. Rajeev Sharma, Advocate for
Election Commission of India.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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16.04.2026

1. The present writ petition has been filed seeking the following reliefs:

"A. Direction on inclusion of Jayanti Dey's name in present voter list according to her Aadhar documents and LPG cylinder gas connection.

B. Direction on Create a special window/ additional home visit arrangement through additional manpower support from Election commission of India, Delhi for Senior citizen voter who's name was there in 2002 voter list with upgradation of their present address and name is deleted in 60 lakhs voter list.

C. Direction on to Return of all the digital sim of Jayanti Dey's i.e., 7428701595, 9457639807, 8389075599 from Ashok Lahiri.

D. Direction on a team consist of IPS officers under supervision of present PS to Home, OSD in HM Office, APS TO HM, ADDL.PS TO MOS, PPS TO MoS, US O/o MoS(G), SO O/o MoS(G), HOME SECRETARY, Sr. PPS TO HS for implementation of NRC in West Bengal. BSF is under control of Home Ministry so Home Ministry



officers can only better implement NRC in any state.

E. Direction also expected as a mother of Dr Keya Dey to all the Government organisation in Delhi under Delhi High court Jurisdictions should not commit any implementation of instruction received from directly or indirectly from Ashok Lahiri under provocation of money which may harm the constitutional, fundamentals and legal and human rights i.e police, mobile service provider, Government State bhawan, Government trade fare organisation, Government utility service providers, government employment service provider for both Jayanti Dey and her daughter Dr Keya Dey.”

2. The petitioner is represented through her daughter, who is also the Power of Attorney of the petitioner.
3. The petitioner submits that she has lost her right to vote on account of Special Intensive Revision ('SIR') implementation by the Election Commission of India ('ECI').
4. It is stated that the petitioner's daughter, while residing in Delhi, submitted Form 8 through online portal of ECI seeking shifting of the petitioner's address in the State of West Bengal. She states that despite the submission of Form 8, her name has been deleted from the electoral roll for the State of West Bengal.
5. It is submitted on behalf of the petitioner that the jurisdiction of this Court has been invoked on account of the fact that the petitioner currently resides in Delhi and Form 8 has been uploaded from ECI's online portal in Delhi and the head office of ECI is located in Delhi.
6. Counsel appearing on behalf of ECI at the outset, objects to the maintainability of the present writ petition before this Court. He submits that since the grievance of the petitioner is with regard to non-inclusion of her name in the electoral roll for the State of West Bengal, this Court would not



have the jurisdiction to entertain the present writ petition.

7. Attention of this Court has been drawn to Rule 13 and Rule 26 of the Registration of Electors Rules, 1960. For ease of reference, the aforesaid Rules are set out below:

“13. Form for claims and objections.

* * * * *

(3) Every objection to a particular or particulars in an entry in the roll shall be—

(a) in Form 8; and

(b) preferred only by the person to whom that entry relates.

(4) Every application for transposition of an entry from one part to another part of the roll shall be in Form 8A.

26. Correction of entries and inclusion of names in electoral rolls.—

(1) Every application under section 22 or sub-section (1) of section 23 shall be made in duplicate in such one of the Forms 6, 7, 8, 8A and 8B as may be appropriate

Provided that the statements in Forms 2, 2A and 3, from persons having service qualifications, received after the final publication of the electoral roll shall be deemed to be the applications under sections 22 and 23

*(1A) Every such **application** as is referred to in **sub-rule (1)** shall be presented to the **registration officer** in **such manner as the Election Commission may direct.***

*(3) The **registration officer** shall, **immediately on receipt of such application, direct that one copy** thereof be posted in some conspicuous place in his office together with a notice inviting objections to such application within a period of seven days from the date of such posting.*

*(4) **The registration officer shall, as soon as may be after the expiry of the period specified in sub-rule (3), consider the application and objections thereto, if any, received by him and shall, if satisfied, direct the inclusion, deletion, correction or transposition of entries in the roll,***



as may be necessary:

Provided that when an application is rejected by the registration officer, he shall record in writing a brief statement of his reasons for such rejections.”

[emphasis supplied]

8. The registration officer has been defined in the Registration of Electors Rules, 1960 as follows:

“ 2. Definitions and interpretation –

*(d) "registration officer" means the **electoral registration officer** of a constituency and includes an **assistant electoral registration officer** thereof;”*

[emphasis supplied]

9. A perusal of the aforesaid Rules would show that the necessary form (Form 8) for correction of entries and inclusion of names in the electoral rolls have to be made to the Registration Officer, which would be the Electoral Registration Officer (ERO) and/ or Assistant Electoral Registration Officer (AERO) of a particular constituency, which in the present case would be an officer in the State of West Bengal.

10. The petitioner seeks inclusion of her name in the electoral roll of the State of West Bengal. The necessary verification exercise for the same has to be conducted by the registration officer/ ERO/ AERO, which are all located in the State of West Bengal.

11. Merely because the Form 8 has been uploaded from Delhi and the fact that the head office of the ECI is located in Delhi or the petitioner resides in Delhi, would not vest this court with the jurisdiction to entertain the present petition.

12. Accordingly, the writ petition is dismissed for want of territorial



jurisdiction.

13. Pending application also stands disposed of.

AMIT BANSAL, J

APRIL 16, 2026
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