



In The High Court At Calcutta

CIRCUIT BENCH AT JALPAIGURI

Constitutional Writ Jurisdiction

Appellate Side

Present:

The Hon'ble Justice Shampa Dutt (Paul)

WPA 334 of 2026

Gautam Das

Vs.

**The High Powered Election Committee, 12th Bar Council of West
Bengal Election, 2026 & Ors.**

For the Petitioner : Mr. Soumya Majumder, Id. Sr. Adv.
Mr. Bikramaditya Ghosh
Mr. Mayank Bhandari
Mr. Ved Rai
Mr. Vivek Saha
Mr. Binayak Bandopadhyay

For rest of the respondent : Mr. Bijoy Bikram Das.

For the Respondent No. 1 : Mr. Sagar Bandyopadhyay.

Judgment reserved on : 26.02.2026

Judgment delivered on : 02.03.2026

SHAMPA DUTT (PAUL), J. :

1. Affidavit-of-service filed be kept with the record.
2. The writ application has been preferred praying for direction upon the respondent nos. 1, 2 and 3 to immediately undertake appropriate corrective measures by thoroughly revising and



revisiting the final electoral roll published for the Jalpaiguri Bar Association Booth for the 12th Election of Members of the Bar Council of West Bengal.

3. It is submitted by **Mr. Majumder**, learned senior counsel appearing for the petitioner, that the final electoral role published for the Jalpaiguri Bar Association Booth, for the 12th Election of Members of Bar Council of West Bengal, suffers from gross irregularity in view of the fact that the documents filed, substantiate that a case as has been made out by the petitioner herein that the learned Advocates who are members of the Bar Association(s) and are voters, who will vote as members of the Murshidabad Bar Association are also figuring in the voter list of Jalpaiguri Bar Association and Siliguri Bar Association and vis-à-vis.
4. It is further submitted that when one member of an Association is entitled to cast only a single vote, the names of the members from Murshidabad Bar Association and Siliguri Bar Association who are also shown as voters in the other electoral lists of the other Bar Associations also figures as voters in the final electoral roll published for Jalpaiguri Bar Association, which if left to remain shall prejudice the rights of the petitioner herein, who is contesting the election of the Bar Council of West Bengal, **as the**



name of a single voter also appears as a voter in multiple lists of the several Bar Association.

5. It is further stated that from the list of voters as published, it prima facie appears that at least 81 names are appearing in Part-1 and Part-2 of the final electoral roll for the Jalpaiguri Bar Association Booth, who are permanent residents of Murshidabad District and have no connection and/or Association with the Jalpaiguri Bar Association in spite of the fact that they are also not members of the Jalpaiguri Bar Association. But unfortunately the names figure in the final electoral roll as eligible voters for Jalpaiguri Bar Association Booth.
6. It further appears that several names have been repeated in the final electoral roll in spite of the fact that each voter is entitled to cast only one vote and, as such, the said electoral roll is to be reviewed thoroughly to remove the said serious discrepancies.
7. Learned Counsel for the respondent no. 1 submits that though the last date of registering a complaint as to publication of final voter list has expired, the respondent no. 1 has entertained the e-mail communication dated 24th February, 2026 sent by the petitioner herein and an enquiry has been conducted by his office.
8. **A report** to that effect has been received and placed before this Court, wherein it has been stated as follows :-



*“As per direction of the Returning Officer, I undertook re-checking of voters list based on the complaint received from Mr. Goutam Das on re-checking I found that names appearing in Annexure I of the Complaint do not appear in the voter list of any of the Bar Associations in the District of Murshidabad. So far as the names appearing in Annexure III of the Complaint, in the final Voter list uploaded on 20.02.2026, **the name of a voter appearing twice and thrice has been marked “Duplicate” keeping one valid.** The names could not be stricken out in order to maintain the serial numbers in the voter list. **In respect of Annexure II, it has been found that names of some persons appear in the voter lists of both Jalpaiguri Bar Association as well as Siliguri Bar Association.** Such inclusion was done when the provisional list in part II was published on 09.01.2026 in the website and in all probability at the request of the Advocates of concerned Bar Association. Objections were sought for by public notice dated 09.01.2026, published in two daily Newspapers as well as in the website of the Bar Council of West Bengal, but Bar Council did not receive any objection in this regard till the last date i.e. 16.01.2026. No complaint has been received from any of the Voter and **at this stage it will be very difficult to delete or strike out the names of the voters from any one of the said two Bar Associations without taking consent of them.** Considering the fact that the election is scheduled to be held on 09.03.2026 & 10.03.2026 and all arrangements including Police Posting have already been done and most of the employees of the Bar Council are engaged in distribution of ballot boxes and ballot papers, **it is not possible to make any correction at this stage.”***

9. Learned counsel for the respondent further submits that he has

sent an e-mail to the petitioner herein stating as follows:-

*“I have gone through your letter. So far as appearance of the names in the voters list (Part I & II), objections were invited by the election Notice dated 09.01.2026 and whatever objections were received were taken care of. **So far as the duplication in Part III, care was taken for elimination of duplicate names, In***



*any event I have instructed the concerned official to re-check the names according to your complaint and submit a report to me. **Similar names may be there for more than one voter.***

10. Bar Council notification dated 12th January, 2015 relating to “Certificate and **place of Practice** (Verification) Rules, 2015” has been issued with the following object and reasons:-

*“The Council considered the Draft Rules with regard to **verification of Certificate and Place of Practice of Advocates** and to repeal the Bar Council of India Certificate of Practice and Renewal Rules, 2014 and passed the following resolution.*

*The legal profession is an Honorable one and it has critical role to play in protecting and promoting the Civil and Constitutional rights of the people. An independent and fearless Bar is vital and crucial for sustaining and promoting a true and healthy democracy. **The Bar which is subject to manipulation and influence from extraneous powers, howsoever mighty and esteemed they may be, cannot do justice either to the Legal Profession or to the Rule of Law.** Bench and Bar are the two wheels of a chariot and one cannot function without the other. **Sadly, this profession has fallen under a cloud.***

*The other object was/is also to **introduce certain electoral reforms** in the Bar Council/Bar Association elections, because in recent past, the Bar Council of India and the State Bar Councils have come across the **cases of rigging in the polls and the allegations of bogus voting has now become frequent.** since the State Bar Councils and/or majority of Bar Associations of the country have no record of the Advocates who died after enrolment or who joined other jobs, business or professions; the Bar Council of India being the regular of Legal profession and Legal education of the country has, therefore, decided to undertake **the detailed verification and then to prepare a Voters' List alongwith recent photographs of the Advocate (Voter).***

Shockingly, it has come to the notice of the Council that at some places, the office-bearers of



Bar Associations or some vote-seekers knowingly make such people members and voters of their Associations with a motive to get their votes in the elections of Bar Associations or Bar Councils.”

11. The following Rules of 2015 are relevant:-

Rule 4(g) lays down:-

***“(g) Bar Association* of a given area/town/city means an area/territory and court work based association of advocates, whether registered under the Societies Registration Act (Act No. XXI of 1860) or not having its area/territory defined in terms of the whole or part of the territorial jurisdiction of Courts/Tribunals/Persons or any other Authorities legally competent to take evidence before **which its members ordinarily practice law and it includes Bar Association exclusively dealing in specific fields of law viz. Income Tax, Corporate Law, Central/State Excise Law etc.** in relation to the authorities/tribunals/boards etc. thereunder.”**

12. Rule 6 (Chapter II) lays down:-

“6.1 An advocate, after having obtained a Certificate of Enrollment under section 22 of the Advocates Act, 1961, **is required to get himself registered as a member of the Bar Association where he ordinarily practices law or intends to practice law.** And if any Advocate does not intend to be a member of any Bar Association duly recognized by concerned State Bar Council, then he shall be required to intimate the same to the State Bar Council and he shall have to explain as to how shall he be getting the benefits of any welfare scheme floated by the State Bar Council or the Local Bar Association. The decision of State Bar Council shall be final in this regard.

6.2 In case an advocate leaves one Bar Association and joins another by reason of change of place of practice or by reason of



change of field of law, he/she shall intimate such change with all the relevant particulars to the State Bar Council, of which he is a member.

Such fact of leaving as well as of joining shall be independently intimated to the aforesaid said Bar Council within a period of one month.”

13. Rule 8.4 (iv) also being relevant is as follows:-

“8.4 (iv) Certificate in Form A Column III issued by the President/Secretary or by any other office bearer of the Association, who is duly authorized for this purpose by the Bar Association/ to the effect that **the applicant advocate is a bona fide member of the concerned Bar Association** and that he has not left law practice OR By any member of State Bar Council duly authorized by State Bar Council or by the Bar Council of India.

In case, the applicant has been a member of different Bar Associations at different times since the issuance of certificate of enrolment under section 22 of the Advocates Act, 1961, such certificates may be obtained from the Presidents/Secretaries of the different Bar Associations, of which the applicant remained a member, at different times.”

14. Form-A Column-II of the rules is as follows:-

“2. That I usually practice at _____ and I intend to cast my vote.

ii. In the elections of Bar Association _____ (Name and Place of Bar Association).”

15. Form-A column III (Certification) is as follows:-



Form – A

Column – III (Certification)
[See Rule 8.4 (iv) of B. C. I. Certificate and Place of Practice (Verification) Rules, 2015]

This is to certify that Shri/Mr./Mrs./Ms. _____ Advocate
S/o, W/o, D/o _____ is a bona-fide member
of the Bar practicing usually at _____ (name of the
Bar Association, if any) and he/she has been practicing law since joining this Bar from the
year _____ and has not left such practice and I further certify that the
particulars disclosed by him/her in the accompanying application are correct to my
knowledge and belief.

Date: _____

Full Signature with name
Authorized Member
Bar Council of _____

Full Signature with name
President/Secretary
Bar Association
(Seal)

N. B. → If the certification is made by any authorized member, State Bar Council or Bar Council of India, then the declaration should contain/attach the certified copies of at least 5 Vakalatnamas or any other document/cause list establishing that the advocate has been in practice for last 5 years.

If such proof is not furnished, then the Administrative Committee shall consider the reason (if any) thereof and can pass orders to take an undertaking or affidavit from the Advocate, only after furnishing the affidavit asked by the Administrative Committee of State Bar Council, the application for verification shall be entertained and C. O. P. (Form-B) would be granted.

16. Form –B is as follows:-

Form – B
(for use of office only)

Bar Council of _____

Certificate of Practice
[issued under B. C. I. Certificate and Place of Practice (Verification) Rules, 2015]

C. O. P. No. _____ of _____

This is to certify that Shri/Mr./Mrs./Ms. _____
S/o, W/o, D/o _____ PS
dated _____ is an advocate enrolled in the Bar Council of
dated _____ His enrolment number is _____
dated _____ and his normal place of practice is _____

He is entitled to cast his vote for the election of Bar Council of _____ at _____
(Place) and in the elections of Bar Association of _____
(name & place of Bar Association, if applicable).

This certificate of practice is valid for a period of 5 years from the date of its issuance.

Date: _____

Chairman/Vice-Chairman
Authorized Signatory
(Seal of the State Bar Council)
(Full Signature)

Scanned
photograph
of Advocate
with the seal
of Bar
Council

17. Column 20 and 21 in Form C being relevant are as follows:-



“20. Place where Advocate intends to cast his vote in the elections of Bar Council _____.

21. Place/Name of Bar Association (if any) where the advocate intends to cast his vote _____.”

18. Form- D is as follows, Para 7 & 8 are relevant:-

Form - D

Bar Council of _____

Photograph
of Advocate

Identity Card

1. Card No. _____

1. Name _____

2. Father's Name _____

3. Enrolment No., Year & date _____

4. Address _____

Email ID _____

Telephone/Mobile No. _____

5. Normal Place of Practice _____

6. Date of expiry of I-Card _____

7. Place where Advocate is entitled to vote in elections of State Bar Council _____

8. Place/name of Bar Association (if any) where Advocate is entitled to vote in election of Bar Association _____

Date: _____

Chairman/Vice-Chairman
Authorized Signatory
(Seal of the State Bar Council)
(Full Signature)

19. From E is as follows:-

FORM E
FOR SENIOR ADVOCATES & ADVOCATES ON RECORD IN SUPREME COURT OF INDIA
(See Rule 5(a) of the Bar Council of India Certificate and Place of Practice (Verification), Rules 2013)

To,
The Secretary,
Bar Council of _____

photograph

Name: _____

Father's Name _____

Enrolment No. and Date _____

Email Id: _____

Place where the Sr. Advocate/AOR intends to cast his vote in the elections of State Bar Council: _____

Name/Place of Bar Association where the Senior Advocate/A.O.R. casts his vote: _____

Signature
Designation & Seal of the authorized
signatory of S.C.B.A./A.O.R. Association

Signature of Senior Advocate/
A.O.R.

Date: _____



20. As such, it is clear from the **said rules and the Forms annexed**, that a member of the Bar Council of State normally is member of the Bar Association, where he normally practices and is entitled to cast only one vote in the State Bar Council elections conducted.

21. Learned counsel for the respondent submits that in **M. Varadhan vs. Union of India & Anr. in Writ Petition (s) (civil) No (s). 1319/2023**, the Supreme Court has directed as follows :-

*“19. During the course of hearing, it is seen that several lawyers have **individual and varied grievances**. We are afraid such **individual grievances** cannot be addressed in these proceedings. Liberty is, hence, granted to them to **apply before the High-Powered Election Committee (s) for redressal of their individual issue (s)**.*

*20. Any person who is aggrieved by the decision of the High-Powered Supervisory Committee. The decision taken by the Supervisory Committee shall be final. **No civil court or High Court shall entertain any petition (s) against such decision.**”*

22. It is submitted by the learned senior counsel appearing for the petitioner that the said direction as relied upon by the



respondent herein, is applicable only in case of lawyers having **‘individual and varied grievances’**.

23. It is the contention of **Mr. Majumder** appearing for the petitioner herein, that the said directions in paragraph 19 and 20 of the judgment, has been passed in view of the observation of the Court in paragraph 7 and 8 of the said judgment, wherein the issue relates to exercise taken to identify the (individual) advocates with **fake unrecognized degrees** and the Court has directed the State Bar Councils to verify the genuineness of the law degrees of the advocates enrolled. It is thus **individual grievances** which the Court has directed, for addressing the same as per the method provided in paragraph 19 and 20 of the judgment.

24. It is further submitted that in the present case it is neither the case of an individual grievance nor about advocates having fake degrees.

25. On the other hand, it is stated that it is a serious issue, which shall hamper, free, transparent and fair elections, as the final electoral list of Jalpaiguri Bar Association has been prima facie manipulated by including the names in duplicate and also names of persons as voters who are not members of the Jalpaiguri Bar Association but **admittedly** belong to Bar Associations of other Districts, leading to the names of an



advocate registered under the State Bar Council having one registration number, **having more than one vote in the elections, being admittedly enlisted as a voter in the “final electoral roll” of more than one Bar Association.**

26. Mr. Majumder further relies upon paragraph 36 to 40 in ***Union Territory of Ladakh & Ors. vs. Jammu and Kashmir National Conference***, through its General Secretary reported in **(2024) 18 SCC 643**, wherein the Supreme Court was of the view:-

“36. We are conscious that, by way of certain pronouncements, some of which are alluded to in this judgment, the Court extended principles relating to elections to Parliament, State Assemblies and Municipalities to other arenas as well. Indicatively, the interpretation of judgments is always to be made with due regard to the facts and circumstances of the peculiar case concerned [Sanjay Dubey v. State of M.P., (2023) 17 SCC 187 : 2023 INSC 519, para 18] . We have looked at Articles 243-O, 243-ZG and 329 of the Constitution, and conclude that no bar hit the High Court, even on principle. Apart from the judgments expressly considered and dealt with, hereinbefore and hereinafter, we have perused, out of our own volition, the decisions, inter alia, of varying Bench strength of this Court in N.P. Ponnuswami v. Returning Officer, Namakkal Constituency [N.P. Ponnuswami v. Returning Officer, Namakkal Constituency, (1952) 1 SCC 94 : 1952 SCR 218, where the Court held that: (N.P. Ponnuswami case, SCC p. 108, para 13)“13. ... The discussion in this passage makes it clear that the word “election” can be and has been appropriately used with reference to the entire process which consists of several stages and embraces many steps, some of which may have an important bearing on the result of the process.”,with respect to Article 329(b) of the Constitution.] ; Durga Shankar



Mehta v. Raghuraj Singh [Durga Shankar Mehta v. Raghuraj Singh, (1954) 2 SCC 20 : (1955) 1 SCR 267] ; *Hari Vishnu Kamath v. Syed Ahmad Ishaque* [Hari Vishnu Kamath v. Syed Ahmad Ishaque, (1954) 2 SCC 881 : (1955) 1 SCR 1104] ; *Narayan Bhaskar Khare v. Election Commission of India* [Narayan Bhaskar Khare v. Election Commission of India, 1957 SCC OnLine SC 80 : 1957 SCR 1081] ; *Mohinder Singh Gill v. Election Commission of India* [Mohinder Singh Gill v. Election Commission of India, (1978) 1 SCC 405] ; *Lakshmi Charan Sen v. A.K.M. Hassan Uzzaman* [Lakshmi Charan Sen v. A.K.M. Hassan Uzzaman, (1985) 4 SCC 689] ; *Indrajit Barua v. Election Commission of India* [Indrajit Barua v. Election Commission of India, (1985) 4 SCC 722] ; *Election Commission of India v. Shivaji* [Election Commission of India v. Shivaji, (1988) 1 SCC 277] ; *Digvijay Mote v. Union of India* [Digvijay Mote v. Union of India, (1993) 4 SCC 175, where, apropos Article 324 powers of the ECI, this Court held: (Digvijay Mote case, SCC p. 178, para 9)“9. **However, it has to be stated this power is not unbridled. Judicial review will still be permissible, over the statutory body** exercising its functions affecting public law rights.”] ; *Boddula Krishnaiah v. State Election Commr., A.P.* [Boddula Krishnaiah v. State Election Commr., A.P., (1996) 3 SCC 416] ; *Anugrah Narain Singh v. State of U.P.* [Anugrah Narain Singh v. State of U.P., (1996) 6 SCC 303] ; *Election Commission of India v. Ashok Kumar* [Election Commission of India v. Ashok Kumar, (2000) 8 SCC 216] ; *Kishansing Tomar v. Municipal Corpn., Ahmedabad* [Kishansing Tomar v. Municipal Corpn., Ahmedabad, (2006) 8 SCC 352] ; *W.B. State Election Commission v. Communist Party of India (Marxist)* [W.B. State Election Commission v. Communist Party of India (Marxist), (2018) 18 SCC 141] ; *Dravida Munnetra Kazhagam v. State of T.N.* [Dravida Munnetra Kazhagam v. State of T.N., (2020) 6 SCC 548] ; *Laxmibai v. Collector* [Laxmibai v. Collector, (2020) 12 SCC 186] , and last but not the least, *State of Goa v. Fouziya Imtiaz Shaikh* [State of Goa v. Fouziya Imtiaz Shaikh, (2021) 8 SCC 401. Where the learned 3-Judge Bench has considered a



catena of the precedents relevant to the issue(s) before it.] . On scrutiny, in combination with the timelines and facts of the matter herein, **we are sure that the High Court did not falter.**

37. We would indicate that the restraint, self-imposed, by the courts as a general principle, laid out in some detail in some of the decisions supra, **in election matters** to the extent that once a notification is issued and the election process starts, the Constitutional Courts, under normal circumstances are loath to interfere, is not a contentious issue. **But where issues crop up, indicating unjust executive action or an attempt to disturb a level playing field between candidates and/or political parties with no justifiable or intelligible basis, the Constitutional Courts are required, nay they are duty-bound, to step in.** The reason that the courts have usually maintained a hands-off approach is with the sole salutary objective of ensuring that the elections, which are a manifestation of the will of the people, are taken to their logical conclusion, without delay or dilution thereof. In the context of providing appropriate succour to the aggrieved litigant at the appropriate time [B.S. Hari Commandant v. Union of India, (2023) 13 SCC 779, para 50] , the learned Single Judge acted rightly. In all fairness, we must note that **the learned ASG, during the course of arguments, did not contest the power per se of the High Court to issue the directions it did, except that the same amounted to denying the appellants their discretion.** As stated hereinbefore, we are satisfied that in view of the 1968 Order, the appellants' discretion was not unbridled, and rather, it was guided by the 1968 Order.

38. The reasoning of the learned Single Judge [J&K National Conference v. State (UT of Ladakh), 2023 SCC OnLine J&K 671] , further expounded by the learned Division Bench [State (UT of Ladakh) v. J&K National Conference, 2023 SCC OnLine J&K 670] , **leaves no doubt that the relief sought by R-1 was required to be granted** and, accordingly, the same was granted by the High Court. The stark



*factor which stares us in the face is that well before and well in time, by way of the writ petition, R-1 had approached the court of first instance (the learned Single Judge), for the reliefs, which have been found due to them ultimately, and upheld by the appellate court (the learned Division Bench). It is the appellants, who by virtue of sheer non-compliance of the High Court's orders [State (UT of Ladakh) v. J&K National Conference, 2023 SCC OnLine J&K 670] · [J&K National Conference v. State (UT of Ladakh), 2023 SCC OnLine J&K 671] , be it noted, without any stay, can alone be labelled responsible for the present imbroglio. These stark facts cannot be broadly equated with other hypothetical scenarios, **wherein the facts may warrant a completely hands-off approach.***

39. This case constrains the Court to take note of the broader aspect of the lurking danger of authorities concerned using their powers relating to elections arbitrarily and thereafter, being complacent, rather overconfident, that the courts would not interfere. The misconceived notion being that in the ultimate eventuate, after elections are over, when such decisions/actions are challenged, by sheer passage of time, irreversible consequences would have occurred, and no substantive relief could be fashioned is just that — misconceived. However, conduct by authorities as exhibited herein may seriously compel the Court to have a comprehensive re-think, as to whether the self-imposed restrictions may need a more liberal interpretation, **to ensure that justice is not only done but also seen to be done, and done in time to nip in the bud any attempted misadventure.** We refrain from further comment on the appellants, noting the pendency of the contempt proceeding.

40. As made clear by us in the foregoing paragraphs, the situation emanating herein is, in a manner of speaking, unprecedented. With a sense of anguish, it would not be wrong to say that the instant judgment has been invited upon themselves by the appellants. The orders [State (UT of Ladakh) v. J&K National Conference, 2023 SCC OnLine J&K 670] · [J&K National



Conference v. State (UT of Ladakh), 2023 SCC OnLine J&K 671] of the High Court, in our considered opinion, were in aid of the electoral process, and no fault can be found therewith.”

27. Para 1 and 23 in ***M. Varadhan (Supra)*** relied upon by the respondents being relevant are as follows:-

*“1. The controversy in this batch of cases, including various applications filed from time to time, revolves around **fair, transparent, and timely conduction of elections for the State Bar Councils.***

*23. Before closing our observations, we acknowledge and place on record **our appreciation for the fair stand taken by the Bar Council of India before this Court to further the cause of fair and transparent elections to the State Bar Councils.**”*

28. Thus the sole purpose of the judgment in ***M. Varadhan (Supra)*** is to ensure that timely, free, fair and transparent elections to the State Bar Councils is to conducted.

29. Relying upon ***Union territory of Ladakh (Supra)*** and ***M. Varadhan (Supra)***, the situation herein clearly calls for the interference of this (constitutional) Court, as issues herein have cropped up indicating unjust executive action or an attempt to disturb a level playing field between candidates with no justification basis, and the Court herein is thus duty bound to step in.



30. Thus, considering all these factors, the respondents shall carry out the election, but to ensure that no voter is permitted to cast more than one vote. The irregularity is admitted and thus palpably erroneous against Election Rules.
31. The respondent herein cannot take the shelter of the Supreme Court when admittedly the gross irregularity is admitted.
32. The question of taking the consent of a party to delete his/her name from lists other than one, is again a gross irregularity.
33. The respondents have to remember that an advocate may be a member of more than one Bar Association or lawyers forum, but **can exercise only one vote in the election and by no means can vote, as a member of the several associations, as a voter more than once.** A member registered under one Bar Council of a State, can have only one vote. A member of several Bar Associations/forum cannot by any means have as many votes as his/her membership. Such an error being admitted is unthinkable when such reliance has been placed upon them by the Hon'ble Apex Court.
34. Thus the contention of the respondents that even though they admit that the names of some persons appear more than once as "voters" in more than one list, the said names cannot be deleted without consent of such voters, is clearly in violation of the rules of a free, transparent and fair election.



35. The contention that the petitioner has lodged a complaint at a belated stage is not an issue when admittedly there has been gross irregularity in preparation of the final electoral roll/voters lists, which is clearly in violation of the rules for conducting a free, transparent and fair election.
36. Accordingly, **the respondents shall take immediate steps to ensure that under no circumstance a voter casts his/her votes more than once** and to ensure such compliance, shall take all steps as necessary to undo the wrong admittedly committed by the respondents herein, which goes against the principle of natural justice being an abuse of power and against the fundamental rights of a free citizen, when the purity, transparency and a fair election process is to be ensured by the respondents and if required through the Courts, if such process is being hampered in any manner whatsoever.
37. Considering all the issues herein, **the writ application is disposed of, with the direction that the respondent nos. 1 to 3 shall take immediate steps for correction and revise the final electoral role published for Jalpaiguri Bar Association Booth for the 12th Election of members of the Bar Council of West Bengal as per the observation made by this Court in this order. The total exercise be completed by the 6th March, 2026 and a revised electoral be published.**



- 38.** The respondent no. 1 & 3 shall also ensure that all final electoral rolls are free from such irregularities, to avoid allegations of manipulation in election in future.
- 39. Para 39** in *Union territory of Ladakh (Supra)* being applicable to the facts and circumstances of the present case, is once again relied upon and the observations/guidelines of the Supreme Court therein, gives this Court the powers to step in to ensure free, fair and transparent elections (Para 1, 23 in *M. Varadhan (Supra)*).
- 40. WPA 334 of 2026 is disposed of.**
- 41.** All connected application, if any, stands disposed of.
- 42.** Interim order, if any, stands vacated.
- 43.** Urgent Photostat certified copy of this Judgment, if applied for, be supplied to the parties, expeditiously after complying with all necessary legal formalities.

[Shampa Dutt (Paul), J.]