

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).1089/2025

MOSTARI BANU

Petitioner(s)

VERSUS

THE ELECTION COMMISSION OF INDIA & ORS.

Respondent(s)

[SIR MATTERS RELATED TO THE STATE OF WEST BENGAL]

WITH

W.P.(C) No. 737/2025 (PIL-W)

IA No. 27103/2026 - APPROPRIATE ORDERS/DIRECTIONS

W.P.(C) No. 1074/2025 (PIL-W)

IA No. 26838/2026 - APPROPRIATE ORDERS/DIRECTIONS

ITEM No.36

Writ Petition(s)(Civil) No(s).126/2026

(IA No. 32266/2026 - EXEMPTION FROM FILING O.T.)

ITEM NO.37

Writ Petition(s)(Civil) No(s).129/2026

Date : 04-02-2026 These petitions were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JOYMALYA BAGCHI

HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) :Mr. Sabyasachi Chatterjee, Adv.

Mr. Pintu Karar, Adv.

Mr. Gajendra Singh Negi, Adv.

Mr. Md Shah Minhajuddin, Adv.

Mr. Md Adil Khan, Adv.

Mrs. Srabani Mukherjee, Adv.

Mr. Shekhar Banerjee, Adv.

Mr. Umesh Kumar Shukla, Adv.

Mr. Akashdeep Mukherjee, Adv.

Mr. Badrul Karim, Adv.

Mr. Kiron Sk, Adv.

Mr. Rishbah Ahmad Khan, Adv.

Mr. Subhro Prokas Mukherjee, AOR

Mr. Kapil Sibal, Sr. Adv.

Mr. Kalyan Bandopadhyay, Sr. Adv.

Mr. Shyam Divan, Sr. Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Chatterji, AOR
Mr. Ayan Chakraborty, Adv.
Ms. Fauzia Shakil, Adv.
Mr. Shourya Dasgupta, Adv.
Ms. Mahima Cholera, Adv.
Ms. Aparajita Jamwal, Adv.
Mr. Shaishir Divatia, Adv.
Mr. Ankur Singhal, Adv.
Mr. Aman Naqvi, Adv.
Mr. Ashish Kumar Pandey, Adv.

Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Vivek Singh, AOR
Mr. Abhisek Mohanty, Adv.

in It.36

Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Ayaan Mukherjee, Adv.
Mr. Shourya Dasgupta, Adv.
Mr. Ashish Kumar Pandey, Adv.
Mr. Ravinder Singh, Adv.
Mr. K. Shiva, AOR
Ms. Raveesha Gupta, Adv.
Mr. Siddharth Venugopal, Adv.
Mr. Tushar Shrivastava, Adv.

in It.37

Mr. Kapil Sibal, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Kalyan Banerjee, Sr. Adv.
Mr. Prashant Bhushan, Adv.
Mr. Debanjan Mandal, Adv.
Mr. Kunal Mimani, AOR
Ms. Mahima Cholera, Adv.
Mr. Shaurya Dasgupta, Adv.
Mr. Aman Naqvi, Adv.
Mr. Akshay Luthra, Adv.
Mr. Saishir Divatia, Adv.
Mr. Ankur Singhal, Adv.

For Respondent(s)
in It.21

Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Maninder Singh, Sr. Adv.
Mr. Eklavya Dwivedi, AOR
Mr. Mohd. Yasir, Adv.
Mr. Kumar Utsav, Adv.
Ms. Simran Parmar, Adv.
Ms. Anamika Mishra, Adv.

Ms. Shraddha Chirania, Adv.
Mr. Kunal Mimani, AOR

Mr. Tushar Mehta, Solicitor General

Mr. K.M. Nataraj, A.S.G.
Mr. Vikramjeet Banarjee, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Madhav Sinhal, Adv.
Ms. Shilpa Ohri, Adv.
Mr. Aman Jha, Adv.
Mr. Aman Mehta, Adv.
Mr. Anuj Udupa, Adv.
Mr. Udit Dediya, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Raman Yadav, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Arvind Kumar Sharma, (AOR), Adv.

in It.36 & 37 Mr. Dama Seshadri Naidu, Sr. Adv.
Mr. Prateek Kumar, AOR
Mr. Kumar Utsav, Adv.

UPON hearing the counsel the Court made the following
O R D E R

W.P.(C) No.126/2026 & W.P.(C) No.129/2026

1. Issue notice.
2. Mr. Prateek Kumar, AOR accepts notice on behalf of respondents, namely, Election Commission of India and the Chief Electoral Officer, West Bengal.
3. List on 09.02.2026 at 2 p.m.

W.P.(C) No.126/2026, W.P.(C) No.129/2026 & WP(C) No.1089/2025

4. We have briefly heard Shri Shyam Divan and Shri Gopal Sankaranarayanan, learned Senior Counsel on behalf of the petitioners; as well as Shri Rakesh Dwivedi and Shri Dama Seshadri Naidu, learned Senior Counsel, representing the Election Commission of India & the Chief Electoral Officer, West Bengal.
5. During the course of hearing, it is pointed out by Shri Tushar

Mehta, learned Solicitor General of India, that there is another writ petition bearing W.P.(C) No.1216/2025 pending before this Court and the issues raised therein and the affidavit filed by Election Commission of India will have some bearing on the merits of these cases.

6. Consequently, W.P.(C) No.1216/2025 be also listed along with these cases on 09.02.2026 at 2 p.m.

7. The parties are directed to have their respective instructions on the date so fixed.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR