14.10.2026
Court No.39
DL/Item No.– **273**

[Milan]

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 24486 of 2026

MD. RAFIK
VS
THE ELECTION COMMISSION OF INDIA AND ORS

Mr. Syed Nasim Aejaz
... for the Petitioner

Ms. Anamika Pandey
... for E.C.I

1. The learned Counsel for the petitioner submits that the Tribunal has excluded the name of the petitioner from electoral process without giving notice and any opportunity of hearing to the petitioner. He prays for an order for fresh hearing after giving an opportunity of hearing to the petitioner.
2. Having heard the submission of the petitioner, this Court finds that the prayer for allowing opportunity of hearing to the petitioner is simple and innocuous.
3. Accordingly, the Appellate Tribunal is requested to consider, hear afresh and dispose of the SIR Appeal preferred by the petitioner as expeditiously as possible, preferably within a period of three months from the date of communication of this order.
4. It is needless to mention that this Court has not gone into the merits of the case and the same may be decided independently and in accordance with law without being influenced by any observations made by this Court.

5. Accordingly, WPA 24486 of 2026 stands disposed of.

6. Urgent certified photocopy of this order, if applied for, be supplied to the parties taking all legal formalities.

(Ajay Kumar Gupta, J.)