ITEM NO.16 COURT NO.1 SECTION XI

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

Petition(s) for Special Leave to Appeal (C) No(s). 37437/2026

[Arising out of impugned judgment and order dated 22-06-2026 in WC No. 6153/2011 passed by the High Court of Judicature at Allahabad, Lucknow Bench]

JAGDISH SINGH Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(IA No. 327407/2026 - EXEMPTION FROM FILING O.T. and IA No. 327405/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES)

Date : 04-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Gagan Gupta, Sr. Adv.
Ms. Indira Bakhar, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mr. Vineet Singh, Adv.
Mr. Chirayu Sharma, Adv.
Mr. Narendra Kumar Goyal, Adv.
Mr. Rahul Saini, Adv.
Mr. Divyanshu Saraswat, Adv.
Mr. Sabyasachi Dubey, Adv.
Mr. Saroj Kumar Sinha, Adv.
Mr. Sreejith P.R., Adv.
Mr. Saurabh Kumar Singh, Adv.
Mr. A.A. Kalebudde, Adv.
M/S. Mukesh Kumar Singh And Co.- 2589, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

Signature Not Verified
Digitally signed by
NITIN TALREJA
Date: 2026.11.04
18:41:38 IST
Reason:

1. We have heard learned senior counsel for the petitioner.

2. The instant Special Leave Petition is directed against the judgment dated 22.06.2026 passed by a Division Bench of the High Court in terms whereof the petitioner's challenge to the *vires* of Section 9(1)(c) of the Delimitation Act, 2002 has been turned down.

3. In sum and substance, the petitioner's case was that the reservation of the State Legislative Assembly seats for members of Scheduled Castes/Scheduled Tribes should be governed by following the principle of rotation. According to the Petitioner, if such a recourse is followed, the 191-Kadipur Assembly Constituency, which has remained reserved for Scheduled Caste candidates from the date of its creation, and has further been continued after the delimitation exercise undertaken in 2006, can be de-reserved and, in lieu thereof, any other constituency having the highest population of the Scheduled Castes can be reserved. The High Court rejected the petitioner's contention, observing, *inter alia*, that although rotation may ideally be followed, the decision to undertake such an exercise falls within the domain of the Legislature.

4. We find no ground to take a view different from that taken by the High Court. Reservation of seats in the State Legislative Assemblies and the Parliament is essentially a matter falling within the domain of the Legislature. The petitioner, if so advised, may approach the elected representatives with a view to persuade them to consider adopting the principle of rotation, as relied upon by the petitioner on the basis of the observations made by the Delimitation Commission in 2006.

5. With the aforesaid liberty, the Special Leave Petition stands disposed of with pending application(s), if any.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR