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

+ W.P.(C) 2844/2016 & CM Nos.11928/2016 & 11929/2016

CITIZEN RIGHTS FOUNDATION & ANR Petitioner

Through Mr.Ginesh P. And Mr.P.George Giri,
Advs.

Versus

UNION OF INDIA & ANR Respondents

Through Mr.Ripu Daman Bhardwaj, Adv. for
R-1/UOI

Mr.Y.R.Sharma, Adv. for R-2/Election
Commission of India

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

29.04.2016

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1. This petition by way of public interest litigation has been filed seeking a direction to the respondent No.2/Election Commission of India to take necessary action to change the name of political parties having any connotation of religion, caste, creed, race, name of god or community in its name. It is apparent from the material placed on record that the issue sought to be raised by the petitioner has already been considered by the Election Commission of India on a representation made by the petitioner and by letter dated 29.09.2015, the petitioner was informed as under:-

“Subject:- Registration of Political Parties-reg.

Sir,

I am directed to refer to your letter dated 20.09.2015, on the subject cited, wherein you have raised the issue of some political parties registered with the Commission having religious connotations in their names. In this regard, it is

stated that in the year 2004 there was a petition W.P.No.112/2004 titled ‘N.Kunju vs. Election Commission of India and Ors., filed in the Hon’ble Supreme Court, regarding use of religious phrases/words in the names of political parties. That application was dismissed on technical grounds. However, the Commission decided that henceforth the parties/associations having religious names would not be registered by the Commission as political parties. Thus from the year 2005 i.e. after filing of the Writ Petition by Shri N.Kunju, the Commission has ensured that no party having religious connotation in its name, is registered.

The political parties mentioned in your letters were registered prior to the above decision of the Commission. Since these parties were registered earlier subsequent guidelines cannot be enforced on these parties.

Yours faithfully,
-sd-”

2. Since it is clear that the Election Commission of India is not registering any party having religious connotation in its name from the year 2005, the present petition deserves no consideration.
3. The writ petition is dismissed.

CHIEF JUSTICE

JAYANT NATH, J

APRIL 29, 2016

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