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

+ **W.P.(C) 10983/2018 & C.M. 42761/2018**

SH. BHAIYYA MAHADEO RAMTEKE Petitioner

Through: **Mr. Milind P. Singh, Advocate**

Versus

THE CHIEF ELECTION COMMISSIONER OF INDIA

..... Respondent

Through: **Nemo.**

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
25.10.2018

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Petitioner claims to have unsuccessfully contested the State Assembly elections in the year 2004 and its Bye Poll in the year 2006. In this petition, a mandamus is sought to respondent to decide petitioner's Representation of 20th August, 2018, in which an apprehension is expressed that the upcoming elections are not going to be free and fair elections. A copy of Representation of 20th August, 2018 has been annexed as *Annexrure P-1 (colly)*.

Counsel for petitioner has handed over a copy of order of 8th October, 2018 passed on petitioner's Representation of 20th August, 2018, which reads as under:-

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Election Commission of India
Nirvachan Sada, Ashoka Road, New Delhi-110001

No.51/8/16/9/2018-EMS/301

Dated: 08th October, 2018

To

*Sh. Bhaiyya Mahadeo Ramteke,
R/o Nilkamal Apartment, Shende Layout,
Ramnagar, Chandrapur,
Maharashtra- 442401*

*Subject:- Representation against the use of EVM in upcoming
Legislative Assembly Elections-reg.*

Sir,

*I am directed to refer to your letter dated 20/21.08.2018 received
in the Commission on 21.08.2018 and to state that your representation
has been considered and has been filed, being completely devoid of
merit, rationality or sound mathematical / scientific principle.*

*Yours faithfully,
Anoop Kumar
Secretary”*

Learned counsel for petitioner submits that a cryptic response to a detailed Representation has been given by respondent. The prayer made by petitioner's counsel is that respondent be directed to give a speaking response to petitioner's Representation of 20th August, 2018.

Upon hearing and on perusal of respondent's Communication of 8th October, 2018, I find no justification whatsoever to interfere with the impugned order. Consequently, this petition and the application are accordingly dismissed.

(SUNIL GAUR)
JUDGE

OCTOBER 25, 2018

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