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

+ **W.P.(C) 4529/2024**

VIDUTHALAI CHIRUTHAIGAL KATCHI Appellant

Through: Mr. Rajiv Nayyar, Sr. Adv., Mr. Dayan Krishnan, Sr. Adv. along with Mr. Rishi Agrawala, Ms. Devika Mohan, Mr. Ankit Banati, Mr. Parminder Singh, Mr. Abhay Aghnihotri, Mr. Mahendran T. And Mr. D. Parventhan, Adv.

versus

ELECTION COMMISSION OF INDIA Respondent

Through: Mr. Ankit Agarwal, SC along with Mr. Ashish Shukla and Mr. Atul Raj, Adv. for ECI.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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27.03.2024

CM APPLs.18592/2024 (Exemption from filing certified copies of annexures) and **18593/2024** (Exemption from filing typed copies of dim annexures/documents)

Allowed, subject to all just exceptions.

Applications stand disposed of.

W.P.(C) 4529/2024 and CM APPL.18591/2024 (Stay)

1. The present petition impugns the communication dated 21.03.2024 (stated to have been received on 25.03.2024) being No.56/ Symbol/ 2024/ PPS-II/ Vol-XV/2307, issued by the respondent.
2. Learned senior counsel for the petitioner contends that a bare perusal



of the aforesaid communication shows that the same is in contravention of relevant provisions of Election Symbols (Reservation and Allotment) Order, 1968, particularly Clause 10B(B) read with Explanation Nos.(i) and (ii) thereof.

3. After some hearing, learned standing counsel for the respondent submits that the aforesaid communication dated 21.03.2024 be treated as withdrawn. It is directed accordingly.

4. Learned standing counsel for the respondent further submits that a fresh order shall be passed taking into account the pleas raised by the petitioner in the present petition. He submits that a speaking order shall be passed during the course of the day itself and shall be duly communicated to the petitioner.

5. Learned senior counsel for the petitioner submits that since today is the last date of filing nomination in the State of Tamil Nadu, the petitioner shall be filing its nomination/s under the “POT” symbol. This court has not expressed any opinion as regards the permissibility thereof.

6. The present petition along with the pending application stands disposed of in the above terms.

7. Copy of the order be given *dasti* under the signatures of court master.

MARCH 27, 2024/cl

SACHIN DATTA, J