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

+ **W.P.(C) 6725/2024**

SHAHEEN ABDULLA & ORS.

..... Petitioners

Through: Mr. Nizam Pasha and Ms. Rashmi
Singh, Advs.

versus

ELECTION COMMISSION OF INDIA

..... Respondent

Through: Ms. Suruchi Suri, SC for ECI.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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13.05.2024

CM APPL.27984/2024 (seeking permission to file lengthy synopsis and list of dates dim/illegible and small font annexures)

Allowed, subject to all just exceptions.

Application stands disposed of.

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1. The present petition has been filed by the petitioners seeking that the respondent/ECI be directed “to take immediate action in accordance with law including by way of filing FIRs under the relevant provisions of the Indian Penal Code, 1860, so as to protect and promote communal harmony and peace, against candidates delivering communally divisive hate speeches in violation of MCC”.

2. The petition pre-supposes that there has been a violation of the Model Code of Conduct and seeks registration of FIRs on that basis. This Court has observed while disposing of W.P.(C)5916/2024 that any such pre-

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supposition is misconceived inasmuch as it is for the Election Commission of India to take an independent view in this regard.

3. Moreover, the petition itself discloses that the petitioners have made a representation to the ECI, on 24.04.2024, followed by a reminder dated 03.05.2024.

4. The petitioners have filed the present petition even though the aforesaid representation made to the ECI is stated to be under consideration.

5. It is pointed out by learned counsel for ECI that a detailed advisory was issued by the ECI to political parties on 01.03.2024. It is further pointed out that a notice dated 25.04.2024 has also been issued by ECI, and that further appropriate action/steps shall be taken, if necessary, upon receipt of the reply to the said notice.

6. As such, at this stage, the present petition is wholly misconceived.

7. In the circumstances, this Court finds no merit whatsoever in the present petition, and the same is accordingly dismissed.

SACHIN DATTA, J

MAY 13, 2024/cl