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

+ W.P.(C) 17871/2024, CM APPL. 76079/2024 & CM APPL. 76080/2024

IMPREET SINGH BAKSHI

.....Petitioner

Through: Mr. Abhinav Mukherji, Sr. Advocate with Mr. Chaitanya Mahajan, Ms. Padamja Sharma, Ms. Astha Agrawal, Ms. Khushboo Hora, Ms. Archita Nigam and Mr. Devang Sharma, Advocates.

versus

CHIEF ELECTORAL OFFICER DELHI & ANR.Respondents

Through: Ms. Anjana Gosain and Mr. Devesh Khanagwal, Advocates with Mr. Gulshan Kumar, AERO R-2 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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23.12.2024

1. The petitioner has approached this Court under Article 226 of the Constitution, for an expeditious decision on his application for registration as an elector in Jangpura Vidhan Sabha Constituency for the Delhi Legislative Assembly elections.

2. According to the petitioner, he has shifted residence in July 2024 from one location within the said assembly constituency to another. He applied on 18.12.2024 for registration as an elector at his new address.

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3. According to the petitioner, the writ petition is necessitated by the fact that a political party, of which he is a member, proposes to declare its list of candidates for the impending Legislative Assembly elections on 24.12.2024.

4. I have heard Mr. Abhinav Mukherji, learned Senior Counsel for the petitioner, and Ms. Anjana Gosain, learned counsel for the respondents. Mr. Gulshan Kumar, Assistant Electoral Registration Officer/respondent No.2, is present in person.

5. Learned counsel for the parties draw my attention to Rule 26(3) and 26(4) of the Registration of Electors Rules, 1960 [“Rules”], which provides as follows:

“(3) The registration officer shall, immediately on receipt of such application, direct that one copy thereof be posted in some conspicuous place in his office together with a notice inviting objections to such application within a period of seven days from the date of such posting.

(4) The registration officer shall, as soon as may be after the expiry of the period specified in sub-rule (3), consider the application and objections thereto, if any, received by him and shall, if satisfied, direct the inclusion, deletion, correction or transposition of entries in the roll, as may be necessary:

Provided that when an application is rejected by the registration officer, he shall record in writing a brief statement of his reasons for such rejections.”

6. It is evident from the above that the objections to the application are required to be invited within a period of seven days. Ms. Gosain states, upon instructions, that the notice inviting objections was issued on 18.12.2024, and the period of seven days contemplated thereunder will expire on 24.12.2024. Having regard to Rule 26(4) of the Rules, she submits that a decision on the petitioner’s application will be taken by 31.12.2024, and will be communicated to the petitioner.



7. The writ petition, alongwith the pending applications, is disposed of on this basis. In the event the application is rejected, the petitioner will be free to avail of his appellate remedies under Rule 27 of the Rules.

PRATEEK JALAN, J

DECEMBER 23, 2024
SS/AL/