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

+ **W.P.(C) 3028/2025**

MUNAGAPATI DEEPAK VARMA

PRESIDENT OF PROPOSED POLITICAL PARTY.....Petitioner

Through: **Mr. Ali Md. Maaz, Advocate.**

versus

ELECTION COMMISSION OF INDIA

THROUGH ITS PRINCIPAL SECRETARYRespondent

Through: **Mr. Ankit Agarwal, Standing Counsel**
with **Mr. Ashish Shukla, Advocate for**
Respondent/ECI.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

10.03.2025

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CM APPL. 14325/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:

“A) issue a writ of mandamus or any other appropriate writ, order or direction to respondent to kindly issue the notice to the petitioner for the Mandatory publication in the newspaper along with direction of removal of shortcomings in application, if any within 15 days from the order passed by this Hon’ble Court.

B) Directing to issue Letter highlighting any other deficiency in the Application in One go and accept the rectification for the same along with the Mandatory Paper Publication in the newspaper.”



4. Learned counsel appearing on behalf of the Petitioner submits that on 01.03.2024, an application was made for registration of a political party under the name and style of “Transformation Party of India” under Section 29A of Representation of People Act, 1951 with the Election Commission of India (‘ECI’), along with all requisite documents. On 22.05.2024, ECI had sent a letter seeking clarification as to which of the two applications dated 27.02.2024 and 01.03.2024 with the same office bearers and office address should be entertained. Clarification was given by the Petitioner vide letter dated 15.07.2024 informing ECI to consider application dated 01.03.2024 and to close the file with respect to application dated 27.02.2024, however, till date no action has been taken by ECI, compelling the Petitioner to approach this Court.

5. Issue notice.

6. Mr. Ankit Agarwal, learned Standing Counsel accepts notice on behalf of the Respondent/ECI.

7. Learned counsel appearing on behalf of ECI on advance copy of the writ petition, on instructions, submits that on receipt of two applications from the Petitioner for registration of the political party, it was found that both the applications had the same office bearers and office address and there were two Demand Drafts accompanying the applications. Immediately, a letter was sent to the Petitioner on 22.05.2024 to clarify which of the two applications was to be processed and the clarification/explanation was required to be given within 45 days, failing which the registration would close without further communication in the matter. Despite knowing the time frame for furnishing the clarification, Petitioner did not respond within the 45 days’ period and it is only on 15.07.2024 that his response was



received, by which time his case was closed and Petitioner can only blame himself for the delay in responding. Nevertheless, learned counsel, on instructions, submits that without going into the past and without treating this case as a precedent, if the Petitioner makes a fresh application within an outer limit of three months from today, complete in all respects with requisite documents and Demand Draft etc., ECI will consider the application as per law.

8. In light of the aforesaid stand of ECI, this writ petition is disposed of without entering into the merits of the case, permitting the Petitioner to file a fresh application for registration of his political party under the name and style of “Transformation Party of India”. If the application is filed within three months from today and is complete in all respects, the same shall be considered by the ECI, as per law. It is further directed that Petitioner shall furnish a fresh Demand Draft along with the application and the earlier two Demand Drafts bearing Nos. 975712 and 975713 both dated 23.02.2024 drawn on SBI, shall be returned back to the Petitioner.

9. It is made clear that this order will not be treated as a precedent as the same is passed in the peculiar facts of this case.

JYOTI SINGH, J

MARCH 10, 2025

B.S. Rohella