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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 14819/2025 & CM APPL. 60925/2025**

UPENDRA NATH DALAI

.....Petitioner

Through: Petitioner in person.

versus

**CHIEF ELECTION COMMISSIONER, ELECTION COMMISSION
OF INDIA & ANR.**

.....Respondents

Through: Ms. Suruchi Suri, Standing Counsel
with Mr. Ashish Shukla, Advocate for
ECI/R-1.

Mr. Chetan Sharma, ASG with Mr.
Ankur Mittal, CGSC, Mr. Amit Gupta,
Mr. Shubham Sharma, Mr. Vikram
Aditya Singh, Naman, Mr.
Yashwardhan Sharma and Ms. Rabaica
Jaiswal, Advocate for UOI/R-2.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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24.09.2025

1. Heard the petitioner, who appears in person, Mr. Chetan Sharma, learned Additional Solicitor General representing the Union of India and Ms. Suruchi Suri, learned Standing Counsel representing the Election Commission of India.
2. By instituting the instant proceedings of the public interest litigation petition, primarily grievance has been raised with the EVMs which are used in General Elections in the country. Another prayer made in the petition is that a direction be given to the respondents to conduct the General Elections through ballot paper.
3. All the aforesaid issues have engaged attention of the Courts including that of the Supreme Court on various occasions. Hon'ble Supreme Court in its judgment dated 26.04.2024, in *Association for Democratic Reform vs. Election Commission of India and another*, (2025) 2 SCC 732, has put the



final seal to the issue by observing *inter-alia* that, the EVMs are simple, secure and user-friendly. The voters, candidates and their representatives and the officials of the Election Commissions of India are aware of the nitty-gritty of the EVM system. They also check and ensure righteousness and integrity. Moreover, the incorporation of the VVPAT system fortifies the principle of vote verifiability, thereby enhancing the overall accountability of the electoral process. The said observations have been made in the para 75 of the report which is extracted herein under:

“75. We have conducted an in-detail review of the administrative and technical safeguards of the EVM mechanism. Our discussion aims to address the uncertainties and provide assurance regarding the integrity of the electoral process. A voting mechanism must uphold and adhere to the principles of security, accountability, and accuracy. An over complex voting system may engender doubt and uncertainty, thereby easing the chances of manipulation. In our considered opinion, the EVMs are simple, secure and user-friendly. The voters, candidates and their representatives, and the officials of the ECI are aware of the nitty-gritty of the EVM system. They also check and ensure righteousness and integrity. Moreover, the incorporation of the VVPAT system fortifies the principle of vote verifiability, thereby enhancing the overall accountability of the electoral process.”

4. The writ petition thus, challenging use of EVMs in the elections was dismissed by the Hon’ble Supreme Court. Relying on the same judgment, an LPA namely LPA No.47/2025 has also been dismissed by a Coordinate Bench of this Court *vide* order dated 21.01.2025.

5. In view of the aforesaid, we decline to entertain this writ petition, which is hereby dismissed.

6. Pending application also stands disposed of.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

SEPTEMBER 24, 2025/kct

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