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

+ **W.P.(C) 7167/2025**

BHOOMI RACHHOYA

.....Petitioner

Through: **Mr. Gurpreet Singh, Advocate**

versus

HEMLATA AND ORS

.....Respondents

Through: **Mr. Shahid Azad and Mr. Shoaib Alam, Advocates**

Ms. Manisha Agarwal Narain, CGSC with Mr. Nipun Jain, Advocate

Ms. Rachita Garg, Advocate for GNCTD

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

30.04.2026

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1. The present writ petition has been filed seeking the following reliefs:

- (a) Issue a Writ of Mandamus to the Respondents with a direction to investigate the matter and register FIR in relevant provisions of law;
- (b) Issue a Writ of Quo – Warranto with a direction to respondent no.2 and remove the Respondent no.1 from the post of Councillor.

2. The aforesaid reliefs have been claimed in relation to the election held for the Municipal Corporation of Delhi (MCD) in 2022 in respect of a seat that was reserved for Scheduled Caste (women).

3. It is contention of the petitioner that respondent no.1 had contested the aforesaid election by producing a forged caste certificate and respondent



no.1 won the aforesaid election.

4. Clearly the relief sought in prayer (a) cannot be granted in favour of the petitioner in the present writ petition. The appropriate remedy for the petitioner to approach the police authorities or file a criminal writ petition.

5. Insofar as prayer (b) is concerned, if it is the case of the petitioner that respondent no.1 has wrongly been elected as a Councillor, the proper remedy would be to file an election petition in terms of Section 15 of the Delhi Municipal Corporation Act, 1957 (DMC Act). Reference in this regard may be made to the order dated 24th July, 2014 in **W.P.(C) 3180/2012** titled as **Sudhir Kumar Parcha v. State Election Commission & Ors.** This court cannot order the removal of the respondent no.1 from post of Councillor till the said election is set aside.

6. In view thereof, it is held that the present writ petition is not maintainable and is accordingly, dismissed.

7. Needless to state that the petitioner would be at liberty to take appropriate remedies that are available in law.

AMIT BANSAL, J

APRIL 30, 2026

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