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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CS (OS) 414/2020 and IA Nos. 12483/2020, 567/2021, 4577/2021, 5934/2021, 7859/2022, 1823/2023, 13013/2023, 13341/2023, 3870/2024, 4415/2024, 4416/2024 & 12483/2020

DR. P. V. VIJAYARAGHAVAN & ORS. Plaintiffs
Through: Mr. Manish Kumar, Mr. Siddharth Shinde, Mr. Piyush Kaushik, Ms. Aparajita Jha and Ms. Shruti Verma, Advs.

versus
NITYAM SOFTWARE SOLUTION PVT. LTD.& ORS.
..... Defendants
Through: Mr. Akshay Chowdhary, Ms. Nivriti Seth, Ms. Sonali Madaan, Advs. along with Mr. Ramesh C. Pandey, CAO of IOA for Administrator.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **28.02.2024**

1. Vide judgment/order dated 20.10.2023, the administrator appointed by this court was requested *inter alia* to:

*“(i) take appropriate steps to conduct an audit/review of the voters’ list for the elections due in November, 2023 so as to ensure that there are no discrepancies therein;
(ii) put appropriate mechanisms in place to ensure the purity and integrity of the elections slated to be held in November, 2023;
(iii) take appropriate decisions to ensure the smooth conduct of IOACON, 2023, slated to be held in December, 2023;
(iv) exercise oversight over the committees of the defendant no.7 and have access to all records, papers, documents of the defendant no.7.”*

2. Learned administrator has filed a third report wherein it has been, *inter-alia*, stated as under:



“28. After examining all the proposals received, the Ernst and Young Limited is found to be most reputed organization specialized in conducting the Forensic Audit/ Verification. Ernst and Young have proposed to carry out the Forensic Audit of 2020, 2021 and 2022 elections of IOA and also carry out the verification of the Voters list of IOA. The expected timeline given by Ernst and Young Limited is six to seven weeks, subject to availability of information and availability of members for video identity verification.

29. The undersigned seeks the directions of Hon'ble Court with respect to the organization to whom the matter should be entrusted. It may be noted that the financial terms shall have to be negotiated after the proposal is approved by this Hon'ble Court.

Directions Sought:

(i) Appointment of an organization for Forensic Audit of 2020; 2021 and 2022 Elections of IOA and verification of the Voters List of IOA.

(ii) Re-constitution of the Administrative Committee of IOA to assist the Administrator.

(iii) Take on record the compliance of the directions of this Hon'ble Court regarding IOACON, 2023.”

3. The learned administrator is requested to engage an appropriate organization for the purpose of verification/preparation of the voters' list.
4. Learned administrator is at liberty to reconstitute the administrative committee of IOA for the purpose of rendering assistance to the administrator for day to day activities.
5. The learned administrator is requested to draw up a firm election schedule so that the elections in the IOA are conducted and concluded latest within a period of 12 weeks from today. The term of the administrator is also, accordingly, extended by a period of 12 weeks.
6. In the meantime, the other aspects sought to be raised vide various representations made before the administrator, be deferred to the extent possible (except to the extent of making adequate interim arrangement/s, for being considered by the newly elected executive committee, upon



conclusion of the elections.

7. List on 16.07.2024.

FEBRUARY 28, 2024/cl

SACHIN DATTA, J