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

+ **W.P.(C) 11799/2019 & CM APPL. 48379/2019**

**SURAJMAL MEMORIAL EDUCATION SOCIETY (REGD.) AND
ORS.**

..... Petitioners

Through: Mr.Naresh Kaushik, Mr.Manoj Joshi
and Mr.Narveer Dabas, Advocates.
Mr.Saket Sikri, Advocate for the
petitioner No.3.

versus

GOVT. OF NCT DELHI AND ORS.

..... Respondents

Through: Mr.Gautam Narayan, ASC, GNCTD
with Ms.Dacchita Shahi, Advocate.
Mr.Tanmaya Mehta and Mr.Rajeev
Aggarwal, Advocates for the
intervenors, Mr.Devender Kr.Solanki.
Mr.Hirein Sharma, Advocate for the
intervenior, Mr.Naresh Chaudhary.
Mr.S.K.Kaushik, Advocate for the
intervenior, Mr.Vijay Khatri.
Mr.Abhay Dixit, Legal Consultant,
South-West District.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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08.11.2019

1. Petitioner impugns show cause notice dated 25.10.2019 and orders dated 31.10.2019 and 04.11.2019 whereby the District Magistrate has interdicted the election process of the Petitioner Society, which was initiated by its executive members.
2. Leaned counsel appearing for the respondent Nos.1 to 4 submits that several complaints were received with regard to the



electoral college *inter alia* of deletion of names of certain members and wrongful enrolment of members out of turn contrary to the bye-laws of the society. He submits that the District Magistrate is also looking into the complaints received with regard to addition and deletion of members and in the meantime he has also requested the SDM, Kapashera, who is holding the charge of Registrar Societies, Dwarka under which the subject societies fall, to prepare a roadmap and suggest the future course of action and pending the same the elections have been deferred. He prays for time to file the counter affidavit.

3. Learned counsel for the petitioner further submits that the District Magistrate/Magistrate has no power to interdict or monitor the election.
4. Let the counter affidavit be filed within two weeks. Rejoinder, before the next date of hearing
5. List on 16.12.2019.
6. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

NOVEMBER 08, 2019

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