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

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+ W.P.(C) 11799/2019 and CM APPL. Nos. 48379/2019, 53842/2019, 11041/2024, 12666/2024, 13270/2024, 13271/2024, 13272/2024, 22836/2024, 40898/2024, 43158/2024, 43167/2024, 43260/2024, 56200/2024 and 71328/2024

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

.....Petitioners

Through: Mr. Inderbir Singh Alag, Senior Advocate with Mr. Devesh Pratap Singh, Mr. Anshuman Nayak and Mr. Rahul Kulhare, Advocates.

versus

GOVT. OF NCT DELHI AND ORS.

.....Respondents

Through: Mr. Kirtiman Singh, Senior Advocate with Mr. Vikhyat Oberoi, Mr. Ravi Sharma, Ms. Nishita Gupta and Mr. Shivam Prakash, Advocates for applicants in C.M. APPL. 56200/2024, 525/2025 and 567/2025.

Mr. N.S. Dalal, Advocate for applicants in CM APPL. 22836/2024.

Mr. N.P. Kaushik, Election Observer.

Mr. Tapas Kumar Bhattacharya, Retd. Sr. Pr. Sec, ECI, in person.

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+ W.P.(C) 12195/2019 and CM APPL. Nos. 49844/2019, 13295/2024, 13296/2024 and 13297/2024

**SURAJMAL MEMORIAL EDUCATION SOCIETY
AND ORS**

.....Petitioners

Through: Mr. Devesh Pratap Singh, Mr. Rahul Kulhare, Mr. Purav Bagai and Mr. Bharat Bagai, Advocates.



versus

GOVT. OF NCT DELHI AND ORS.Respondents
Through: Mr. N.P. Kaushik, Election Observer.
Mr. Asim, Advocate for Respondent No.4.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
08.01.2025

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CM APPL. No. 567/2025 in W.P.(C) 11799/2019

CM APPL. No. 525/2025 in W.P.(C) 11799/2019

1. CM APPL. No. 567/2025 is preferred under Order I Rule 10 CPC on behalf of Mr. Ranbir Singh Siwach for impleadment as Respondent No.10 and as also for revision of the election schedule prepared by the Observer to the extent of change of the date of polling, i.e. 23.02.2025, on the ground that applicant is one of the members of the Petitioner society and also a candidate for the upcoming elections and the wedding and reception of his son are scheduled around the same time, on account of which he will not be able to involve himself in the election process.

2. CM APPL. No. 525/2025 is preferred under Order I Rule 10 CPC on behalf of Mr. Azad Singh for impleadment as Respondent No.9 in the writ petition as also for deferment of the date of polling fixed for 23.02.2025 as per the schedule provided by the learned Observer on the ground that the marriage and reception of his nephew, i.e. son of his brother, are scheduled around the same time and being busy with the arrangement, he will not be in a position to focus on the elections as he is also one of the candidates in the



upcoming elections.

3. Issue notice in both the applications.
4. Counsels, as above, accept notice on behalf of the non-applicants.
5. Mr. Inderbir Singh Alag, learned Senior Counsel for the Petitioners and Mr. N.S. Dalal, appearing for applicants in CM APPL. 22836/2024 and 71328/2024 fairly and candidly submit that they do not have any objection to the revision in the election schedule as prepared by the Observer, subject to an undertaking by the applicants that they will not create any obstruction in the election process and/or seek revision in the schedule henceforth.
6. Mr. Kirtiman Singh, learned Senior Counsel appearing for the applicants, on instructions, submits that applicants are willing to give an undertaking that they will not seek any further revision in the election schedule prepared by the Observer and/or cause any impediment holding the upcoming elections peacefully. He, however, submits that the election process including the nominations, etc. must be carried out in consonance with Rules and Regulations of Surajmal Memorial Education Society, as amended from time to time.
7. After hearing learned Senior Counsels for the Petitioners and the applicants as also other counsels, the applications are allowed. Applicants are impleaded as Respondents 9 and 10 in the writ petition. Amended memo of parties be filed within two weeks from today.
8. With the consent of the parties, the tentative election schedule prepared by the learned Observer is revised to the limited extent of changing the date of polling from 23.02.2025 to 02.03.2025 and consequently, date of counting of votes from 24.02.2025 to 03.03.2025. No other change will be made in the earlier schedule. The election process will be commenced and



concluded in consonance with the applicable Rules of the society and the orders passed by this Court from time to time. Needless to state this would be without prejudice to the rights and contentions of all the parties to the *lis*.

9. The undertaking of the applicants that they will not seek any further change in the election schedule and will not create any hindrance or obstruction in the election process is taken on record and shall bind them.

10. At this stage, learned Observer seeks a direction that police assistance be provided to carry out the election process peacefully. Learned Observer will assess the situation and if necessary, he may contact the DCP of the area concerned to seek police assistance and needless to state that on such a request being made, the DCP shall render full cooperation and assistance.

11. Applications are disposed of.

W.P.(C) 11799/2019 and W.P.(C) 12195/2019

12. List on 14.04.2025.

JYOTI SINGH, J

JANUARY 8, 2025

B.S. Rohella