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

+ **W.P.(C) 11799/2019**

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

.....Petitioner

Through: Mr. Inderbir Singh Alag, Senior Advocate with Mr. Devesh Pratap Singh, Mr. Sanjay Tyagi and Ms. Mahika Malik, Advocates.

versus

GOVT. OF NCT DELHI AND ORS.

.....Respondents

Through: Mr. Chetan Sharma, Additional Solicitor General and Ms. Vaishali Gupta, Panel Counsel with Mr. Amit Gupta, Mr. Manaswy Jha, Ms. Harshita Nathrani, Mr. Vinay Yadav and Mr. Shubham Sharma, Advocates for Respondents No.1 to 4/GNCTD.

Mr. N.S. Dalal, Ms. Nidhi Dalal, Mr. Alok Kumar and Ms. Rachana Dalal, Advocates for applicants in C.M. APPL. 22836/2024.

Mr. Vaibhav Singh, Mr. Kushank Khari and Mr. Gulshan Sharma, Advocates for Intervenor/Aniket Tomar.

Mr. N.P. Kaushik, Observer (through VC).

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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28.02.2025

CM APPL. 12291/2025

1. This application is preferred on behalf of Government of NCT of Delhi (GNCTD) to revise the schedule of elections for the Petitioner Society by a period of at least 14 days with a further direction to the District



Magistrate (South West) to oversee the process of election of the Petitioner Society.

2. Mr. Chetan Sharma, learned Additional Solicitor General submits that the application is predicated on two grounds. Firstly, Mr. N.P. Kaushik, learned Observer appointed by this Court has sent a communication to SDM, Dwarka on 27.02.2025 for deputing at least 20 officers from his office such as Tehsildars, UDCs and LDCs for conducting the elections to ensure that the process is free and fair, however, it is not possible to spare such large number of officers immediately and it would take at least a period of two weeks to detail the staff. Secondly, municipality elections for Haryana are also scheduled for the same day i.e. 02.03.2025 and number of voters being common, it would be difficult for several members of the Petitioner society to cast their votes on the same day.

3. Issue notice.

4. Counsels, as above, accept notice for the non-applicants.

5. Mr. Inderbir Singh Alag, learned Senior Counsel for the Petitioner and Mr. N.S. Dalal, counsel for some applicants oppose the application on the ground that this is yet another attempt to stall the elections which have been scheduled for 02.03.2025, after several efforts. It is argued that it is not difficult for members to vote in the neighbouring State and also to vote for the society election on the same day as the voting for the society will continue from morning to evening.

6. Mr. N.P. Kaushik, learned Observer appointed by this Court joins the Court proceedings virtually and submits that *albeit* a communication was sent to SDM, Dwarka requesting for deputing 20 officers from his office for the purpose of free and fair elections, however, this was by way of abundant



caution and now all arrangements have been put in place and officers from the office of SDM are no longer required.

7. Mr. Chetan Sharma, learned ASG fairly does not press the present application in light of the stand taken by the learned Observer.

8. Present application is accordingly dismissed as not pressed. Nevertheless, Mr. Harshit Saini, SDM, Dwarka, who is present in Court assures that his team will keep a vigil over the election process so that the same is conducted peacefully.

JYOTI SINGH, J

FEBRUARY 28, 2025

B.S. Rohella/shivam