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

+ CS(OS) 148/2018 and IA Nos.4738/2018, 16626/2018, 665/2019, 1894/2019, 11557/2019, 4957/2020, 5047/2020, 5602/2020, 8491/2020, 12584/2020, 1901/2021, 1902/2021, 1905/2021, 10314/2021, 11120/2021, 11290/2021, 11291/2021, 16538/2021, 2297/2022, 11604/2022, 11605/2022, 13167/2022, 13168/2022, 13504/2022, 13505/2022, 17856/2022, 18286/2022, 18287/2022, 21359/2022, 471/2023

**THE YOUNG MENS CHRISTIAN ASSOCIATION OF
ERNAKULAM & ORS** Plaintiffs

Through: Mr. P.I. Jose, Adv.
versus

NATIONAL COUNCIL YMCAS OF INDIA & ORS..... Defendants

Through: Mr. Arvind Nayar, Sr. Adv. along with Mr. Manish Sharma and Mr. Puneet Jaiswal, Advs. for D-1.
Mr. Saju Jakob, Adv. for applicant in IA Nos.20640/2022 and 21359/2022.
Mr. Girish Chandra, Adv. for applicant in IA No. 470/2023.
Mr. R.K. Joshi, Mr. Niranjana Singh and Mr. Ojusya Joshi, Advs. for proposed D-13 and 14.
Mr. Sunil Dalal, Sr. Adv. along with Mr. John Mathew, Ms. Manisha Saroha, Ms. Pratibha Varun and Mr. Rajiv Singh, Advs. in IA Nos. 18286-87/2022 & 17856-57/2022.
Mr. Mustafa, Adv. (appeared through videoconferencing)

**CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA**

**ORDER
11.01.2023**

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IA No.459/2023

1. After some hearing, Mr. Sunil Dalal, learned senior counsel for the applicant confines himself to seeking appointment of an Election Officer to conduct the forthcoming elections of the office bearers of defendant no.1 in line with the orders passed by this court on previous occasions.
2. Issue notice.
3. Respective counsel for the parties are in agreement that Justice Kurian Joseph (Retd.) be appointed as the Election Officer for conducting the forthcoming elections of office bearers of defendant no.1, scheduled on 26.02.2023. It is ordered accordingly.
4. It is further agreed between the parties that the Election Officer would be empowered to:
 - a) To draw up/finalise the list of 'good standing' member YMCAs that would be entitled to send their delegates/nominees for voting in the forthcoming elections, taking into account the exercise that has already been done in this regard pursuant to previous order (s) in these proceedings;
 - b) Review the list of member organizations, who have been either suspended or not allowed to participate in the elections and afford them an opportunity to rectify the shortcomings and enable their participation in the elections, as per the Rules;
 - c) Verify the lists of delegates being nominated by the various YMCAs organizations;
 - d) Call for any information that may be required to establish their genuinity as members of the said local organizations;
 - e) Draw up a final list of voters who would be entitled to vote on behalf of their various member organizations.
 - f) Scrutinise the eligibility of the persons nominated by the Nomination Committee;
 - g) Scrutinize the counter nominations that may be filed;
 - h) Interact with the member organizations in respect of the venue for the elections and if required, change the venue;



- i) Conduct the elections in a free and fair manner and if required by secret ballot;
- j) Announce the final results.

5. The fees of the Election Officer is fixed as a lumpsum amount of Rs.7.5 Lacs at this stage. The expenses for travelling, boarding and lodging and other ancillary expenses shall also be paid to the Election Officer. The said fees and expenses shall be borne by the applicants in IA Nos. 18286/2022, 18287/2022 and 17856/2022 in equal proportion.

6. The present application stands disposed of.

IA No.470/2023

7. Issue notice.

8. Learned counsel, as aforesaid, appears and accepts notice on behalf of the non-applicants/petitioners.

9. Let a reply be filed within a period of four weeks from today. Rejoinder thereto, if any, be filed within a period of three weeks thereafter.

10. List on 26.05.2023.

IA No.21337/2022

11. Learned counsel for non-applicants/petitioners seeks some time to file a reply. Last opportunity is granted to file a reply within a period of two weeks from today. Rejoinder thereto, if any, be filed before the next date of hearing.

12. List on 26.05.2023.

IA No.7278/2022

13. Learned senior counsel appearing for the applicants/defendants, on instructions seeks leave to withdraw the present application.

14. Accordingly, the present application is dismissed as withdrawn.



IA Nos.18286/2022, 17857/2022 and 20640/2022

Renotify on 26.05.2023.

SACHIN DATTA, J

JANUARY 11, 2023/cl