

Court No. - 10

Case :- WRIT - C No. - 33389 of 2023

Petitioner :- Mecon Apartment Owner Association

Respondent :- New Okhla Industrial Development Authority
And 4 Others

Counsel for Petitioner :- Shekhar Chaudhary

Counsel for Respondent :- C.S.C.,Kaushalendra Nath
Singh,Nipun Singh

Hon'ble Kshitij Shailendra,J.

1. Heard Shri Vishal Kashyap, learned counsel holding brief of Shri Shekhar Chaudhary, learned counsel for the petitioner, Shri R.P. Tiwari, learned Standing Counsel for respondent nos.2 and 3, Shri Ridham Gupta, learned counsel holding brief of Shri Kaushalendra Nath Singh, learned counsel for respondent no.1 and Shri Shiv Upadhyay, learned counsel holding brief of Shri Nipun Singh, learned counsel for respondent no.6.

2. This writ petition has been filed claiming following relief:-

"(I) Issue a writ, order or direction in the nature of mandamus commanding the **respondent no.2 to decide the petitioner's representation dated 17.02.2023 within some stipulated time period, in the light of the order dated 04.01.2021 passed by this Hon'ble Court in Civil Misc. Writ Petition No.18515 of 2020 (Mecon Indraprastha Awas Samiti Ltd. vs. New Okhla Industrial Development Authority and 3 Others).**"

3. Learned Standing Counsel has raised preliminary objection to the writ petition by referring to the order dated 04.01.2021 passed by this Court in Writ C No.18515 of 2020 (Mecon Indraprastha Sahkari Awas Samiti Ltd. v. New Okhla Industrial Development Authority And 3 Others) contending that after

setting aside the previous registration of the petitioner-Society, this Court had already issued a direction to the Deputy Registrar, Firms, Societies and Chits, Meerut to pass a fresh order within a period of three months and therefore, the present writ petition being second writ petition for the same cause of action cannot be entertained.

4. Answering the said objection, learned counsel for the petitioner submits that earlier registration was granted in favour of the petitioner-Society in 2019 which was challenged by the respondent no.4 and the petitioner being respondent in the said writ petition, it cannot be treated as a second petition by the petitioner. He further submits that in furtherance of the order of this Court, till today, the matter has not been decided by the Deputy Registrar, Firms, Societies and Chits, Meerut and, therefore, the aforesaid representations have been submitted by the petitioner.

5. Be that as it may, once this Court has already issued a direction to the Deputy Registrar to again decide the issue as the earlier order was found to be bereft of reasoning, no further directions can be issued in the present petition which may not be a second petition by the same petitioner but certainly is a second petition in the same matter.

6. The writ petition is **dismissed as not maintainable** with liberty to the petitioner to press his applications before the Deputy Registrar, Firms, Societies and Chits, Meerut (respondent no.2).

Order Date :- 6.12.2023
Jyotsana