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

CNR No. DLHC010384062026

+ **W.P.(C) 11934/2026**

RAKESH JAIN

.....Petitioner

Through: Mr. Varun Jain and Mr. Nipun Dixit,
Advocates

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Abhinav Sharma with Mr. Ujjwal
Jain & Mr. Inderjeet Singh,
Advocates for R-1, 2 and 3

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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18.08.2026

CM APPL. 55315/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. By way of the instant petition, the petitioner seeks following reliefs:

“i. Pass a writ/order/direction/instruction in the nature of mandamus in favour of the petitioner and against the respondents No.1 to 3 thereby directing the respondents No. 1 to 3 and their officials to take in their custody, power, possession and control of the entire original records of the respondent No.4 including the Memorandum of Association, Bye-laws, Membership Register, Minutes books, Governing Body records, Election records, Electoral Roll/Voter List, objections filed by members, polling



records, counting records and all other relevant documents for inspection and scrutiny.

- ii. Pass a writ/order/direction/instruction in the nature of mandamus in favour of the petitioner and against the respondents No. 1 to 3 thereby directing the respondents No.1 to 3 and their officials to take in their custody, power, possession and control the audit balance sheets, Income and expenditure accounts, receipts and payments accounts, audit reports, cash book, ledger, bank statements, donation register and all financial records, statutory returns for the last three financial years of the respondent No.4.
- iii. Pass a writ/order/direction/instruction in the nature of mandamus in favour of the petitioner and against the respondents No.1 to 3 thereby directing the respondents No.1 to 3 and their officials to conduct the independent inquiry in respect of conducting the election of the Management committee of the respondent No.4 held on 20.06.2026 and to seize all records of the respondent No.4 i.e. General body meeting, voter list, disposal of objection, allegations of fake or bogus voting, counting process and declaration of results and take appropriate action according to law.
- iv. Pass a writ/order/direction/instruction in the nature of mandamus in favour of the petitioner and against the respondents No. 1 to 3 thereby directing the respondents No. 1 to 3 and their officials to appoint the independent Administrator to manage, control, administer all the affairs relating to the finance and other activity also of the respondent No.4 till the lawful official bearers of the respondent No.4 is elected.
- v. Pass a writ/order/direction/instruction in the nature of declaration in favour of the petitioner and against the respondents No.1 to 3 thereby declaring the election dated 20.06.2026 and the constitution of official bearers of the respondent No.4 as null and void.
- vi. Pass a writ/order/direction/instruction in the nature of mandamus in favour of the petitioner and against the respondents No.1 to 3 thereby directing the respondents No.1 to 3 and their officials to conduct the election for constituting the lawful official bearers/management committee of the respondent No.4 according to the Memorandum of Association, Bye-laws of the respondent No.4 and according to the provisions of Society



Registration Act...”

4. Issue notice. The learned counsel appearing on advance notice on behalf of respondents accepts notice.
5. Briefly stated the facts of the present case, as mentioned in the writ petition, are that elections for the Managing Committee of the Society were conducted on 20.06.2026. The petitioner contends that the elections were not conducted in accordance with the Society’s Memorandum of Association and Bye-laws and were vitiated by various procedural irregularities. The petitioner had accordingly submitted a detailed representation dated 14.07.2026 to respondent nos. 1 to 3, bringing the alleged irregularities to their notice and seeking appropriate action. However, despite the said representation, the respondents have neither responded to the same nor taken any action thereon.
6. After hearing learned counsels appearing on behalf of the parties and in view of the issue involved in the instant petition, this Court finds it appropriate to direct that the present petition filed before this Court be treated as a representation on behalf of the petitioner, and the respondents are directed to decide the same, within a period of eight weeks from date, under intimation to the petitioner herein.
7. In above terms, the present petition stands disposed of.
8. In case of any further grievance, the petitioner will be at liberty to approach this Court by filing fresh writ petition.
9. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

AUGUST 18, 2026/ns/vs