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

+ **W.P.(C) 1879/2016, C.M. NO.8028/2016**

SURESH KUMAR JAIN AND ORS Petitioners
Through : Sh. Rajiv Vig, Advocate.

versus

REGISTRAR COOP SOCIETIES DELHI AND ANR.... Respondents
Through : Sh. Santosh Kumar Tripathi, ASC,
GNCTD, for Respondent No.1.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **04.03.2016**

We notice that the dispute urged in these proceedings is as to the directions of the Registrar of Cooperative Societies (RCS) disqualifying the present petitioners from contesting the elections scheduled shortly. The petitioners contend that the impugned order is beyond the authority of law as the disqualification is not justifiable. Learned counsel for the RCS points out that the impugned order itself notices that the petitioners failed to comply with the order of this Court passed in writ proceedings which had recorded that the writ petitioners, the then members of Managing Committee went out of their way to harass one of the members, who was constrained to incur expenses and spend time in legal proceedings. The Court had consequently imposed ₹25,000/- as costs to be paid by each of the petitioners in the two writ petition. It is pointed out that the petitioners did not comply with this order. Learned counsel for the petitioners

rely upon a letter dated 31.12.2005, to say that the costs directed were sought to be deposited but the concerned member did not accept it.

This Court is of the opinion that having regard to the overall circumstances, the present matter is not an appropriate case for exercising discretion under Article 226 and entertaining the proceedings as to whether the decision of the RCS under the circumstances was warranted. The writ petition is accordingly dismissed.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

MARCH 04, 2016

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