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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 5695/2016 & CM 23545/2016

THE N T P C EMPLOYEES CGHS LTD

..... Petitioner

Through Mr J.K. Nayyar, Adv. for Mr G.L.
Verma, Adv.

versus

DELHI COOPERATIVE TRIBUNAL AND ORS.

..... Respondent

Through Mr Peeyush Kalra, ASC for GNCTD
with Ms Sona Babbar and Ms Paridhi
Dixit, Advs. for Registrar, Cooperative
Societies
Mrs Annielette Paul, Membership
No.513 and Mr Sudesh Lohia,
Membership No.580

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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30.08.2016

1. The Counsel for the Registrar, Cooperative Societies and Mrs Annielette Paul, Membership No.513 and Mr Sudesh Lohia, Membership No.580 are present. Mrs Annielette Paul and Mr Sudesh Lohia state that they are the co-respondents before the Delhi Cooperative Tribunal where the appeal is pending.

2. In this writ petition, vide order dated 20.06.2016, the agenda notice dated 30.05.2016, by which elections were to be conducted as per schedule on 26.06.2016 was stayed. The said elections were to be conducted by Mr T. Tarun Kumar, the Returning Officer appointed by the Registrar, Cooperative Societies.

3. The reason why the present petition was filed was that the Delhi Cooperative Tribunal where the appeal filed by the present petitioner was pending had not passed an interim order and this would

have made the appeal infructuous if the elections were held and conducted in terms of the agenda notice dated 30.05.2016.

4. As the date 26th June, 2016 has passed and the appeal of the petitioner is pending before the Cooperative Tribunal, the present writ petition has become infructuous.

5. Mrs Annielette Paul and Mr Sudesh Lohia who are present in person state that they have no objections in case the elections of the Cooperative Societies are held as per schedule, i.e., on or before 07.10.2016. The respondents-Mrs Annielette Paul and Mr Sudesh Lohia further state that other executive members have agreed that the elections should be held on or before 07.10.2016. Learned counsel for the petitioner states that they would have no objection if the elections are held as stated.

6. Keeping in view the aforesaid facts, we dispose of the present writ petition. We would ask and call upon the petitioner and Mrs Annielette Paul and Mr Sudesh Lohia to move an appropriate application before the Delhi Cooperative Tribunal making a similar statement. On the application(s) being filed, the Cooperative Tribunal would deal with and decide the application(s) and the appeal in accordance with law.

Pending CM also stands disposed of.

SANJIV KHANNA, J

SUNITA GUPTA, J

AUGUST 30, 2016/rs