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

+ W.P.(C) 7671/2016

SARVODAYA COOPERATIVE HOUSING SOCIETY LTD AND
ORS. Petitioners

Through Mr. Kirti Uppal, Sr. Advocate with Ms.
Sahiba Pantel & Mr. Avadh Kaushik, Advocates.

versus

GOVERNMENT OF NCT OF DELHI AND ORS. Respondents
Through Ms. Meenakshi Midha, Advocate
alongwith Mr. Laxman Singh Rawat, Inspector,
RCS.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

31.08.2016

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CM No. 31612/2016

Exemption application is allowed, subject to all just exceptions.

W.P.(C) No. 7671/2016

At the time of hearing, counsel for the petitioner and the respondent

Nos. 1 and 2 have agreed to the following consent order:-

- (i) Mr. T. Tarun Kumar will continue as a Returning Officer and will hold the elections for the new management committee.
- (ii) Mr. T. Tarun Kumar will adjourn the elections fixed vide notice dated 11th August, 2016 to any other suitable date.

- (iii) Order dated 22nd August, 2016 will be treated as null and void and Mr. T. Tarun Kumar will pass a speaking order after hearing the members of the existing management committee on the question of default in conducting the statutory audit for the Financial Years 2012-13, 2013-14 and 2014-15.
- (iv) The members of the existing management committee will collect the show cause notice from the office of Mr. T. Tarun Kumar on 8th September, 2016 between 3 P.M. to 5 P.M. They may submit their response within seven days thereafter along with necessary documents. They shall be heard by Mr. T. Tarun Kumar on 19th September, 2016 between 2.30 to 5.30 P.M. Speaking order will be thereafter passed by Mr. T. Tarun Kumar.
- (v) Any person aggrieved by the speaking order would be entitled to challenge and question the same in accordance with law.
- (vi) Learned counsel for the petitioner, on instructions, states that appointment of Mr. K. Dharmarajan as a Returning Officer would be treated as null and void.

Recording the consent and in terms thereof, the writ petition is

disposed of.

Copy of this order will be given dasti to the learned counsel for the parties under the signature of the Court Master.

SANJIV KHANNA, J.

SUNITA GUPTA, J.

AUGUST 31, 2016
VKR