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

+ W.P.(C) 7944/2016

AUROBIND UPADHYAYA

..... Petitioner

Through Mr. Kirti Uppal, Sr. Advocate
with Ms. Ruby Sharma and Mr. Shivam
Tripathi, Advocate.

versus

RETURNING OFFICER & ANR.

..... Respondent

Through Mr. Avtar Singh, Advocate for
R-1.

Ms. Rukmini Bobde, Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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09.09.2016

During the course of hearing, learned senior counsel appearing for the petitioner, on instructions, states that the petitioner is not interested in contesting elections, which are to be held. He submits that the petitioner is aggrieved from the observations made in the order dated 12th August, 2016, wherein it is recorded as under:-

“In this case, the previous Managing Committee was elected on 14.7.2013 and as the Accounts for 2012-13 was to be awaited by 28.08.2013 so it was its duty to get the same

done by that date i.e. 28.08.2013. The plea of Sh. Satish Kumar Kejriwal, Sh. Arobind Upadaya & Smt. Rachna Dass that they had resigned from MC does not hold good.”

The petitioner submits that he had resigned from membership in November, 2014 and, therefore, cannot be held responsible for any default or failure to get the accounts audited on or after the date of resignation. We do not think that the impugned order or the observations made above hold to the contrary.

Learned counsel for the petitioner submits that some of the members of the Managing Committee elected in the year 2008 were also defaulters. This is not the case put up by the petitioner before us and we express no opinion in this regard.

In view of the aforesaid order, counsel for the petitioner seeks permission to withdraw the present writ petition.

Dismissed as withdrawn.

SANJIV KHANNA, J.

SUNITA GUPTA, J.

SEPTEMBER 09, 2016/NA