

\$~168.

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

+ W.P.(C) 10898/2016 and CM APPL. 42700-42701/2016

M/S KOHLI TRADERS

..... Petitioner

Through: Mr. Raj Kishan Choudhary, Advocate
with Mr. Vineet Jindal, Advocate

versus

THE DELHI AGRICULTURAL PRODUCE MARKETING
COMMITTEE & ANR

..... Respondents

Through: Ms. Jyoti Taneja, Advocate for GNCTD.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

%

17.11.2016

1. The present petition has been filed by the petitioner praying *inter alia* for quashing of a public notice dated 21.11.2016 issued by the respondents giving a notice for the election of the members of Delhi Agricultural Marketing Board. Further, the petitioner seeks quashing of the final electoral list dated 02.11.2016 on the ground that his name has been wrongly deleted from the said list.

2. Learned counsel for the petitioner submits that the respondents have deliberately excluded the name of the petitioner from the fresh electoral list without any proper verification and since the list has not been properly prepared after physical verification, the same ought to be quashed and set aside and the respondents be directed to grant further time to those, who seek inclusion of their names in the electoral list by extending the timeline

as prescribed in the notice dated 18.10.2016.

3. Counsel for the respondents, who appears on advance notice, draws the attention of the Court to the notice dated 18.10.2016 issued by the respondents, which refers to the publishing of the draft final electoral list and states that all the parties, who had any objections to the entries made in the said list, were granted time upto 24.10.2016 to file their objections, but the petitioner did not do so.

4. Counsel for the petitioner contends that the aforesaid list was not displayed at any place by the respondents.

5. The aforesaid submission is found to be devoid of merits inasmuch as the notice dated 18.10.2016 itself states that the electoral list shall be available for inspection at the office of the Secretary of the respective Marketing Committees during the office hours. If the petitioner had a grievance that his name had been wrongly deleted from the draft final electoral list, he should have approached the respondents within the stipulated time. Further, as per the public notice dated 2.11.2016, the date for submitting the nominations for participating in the election process was 15.11.2016 and the date of scrutiny of the nominations was 16.11.2016; the last date for withdrawal of the candidature is 18.11.2016, i.e., tomorrow and the date for polling has been declared as 12.12.2016.

6. In view of the fact that the election process has been set into motion and is at an advance stage and further, having regard to the fact that there is no document placed on record by the petitioner to demonstrate that he had taken any steps to submit a complaint to the respondents about the wrongful deletion of his name within the stipulated time as prescribed in the notice dated 18.10.2016, or within a reasonable time therefrom, this Court declines

to entertain the present petition, which is accordingly dismissed in *limine* alongwith the pending applications.

HIMA KOHLI, J

NOVEMBER 17, 2016

rkb

