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

+ **W.P.(C) 7293/2015**

AMAR DEEP JAIN

..... Petitioner

Through: **Mr.Akhilesh Arora and
Mr.S.M.Hashmi, Advocates**

versus

THE LT. GOVERNOR, GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through: **Mr.Peeyoosh Kalra, ASC for GNCTD
and Mr.Ankit Khurana, Adv. for R-1
and R-2
Mr.Arjun Singh Bhati, Advocate for
R-3.**

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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27.01.2016

1. The limited direction sought by the writ petitioner in this case is that the elections to the Jain Cooperative Bank Limited (third respondent) be held in a timely manner. On 27.02.2015, the Board of Directors of the said bank was superseded with immediate effect and under Section Delhi Cooperative Societies Act, 2003 (hereinafter referred to as 'the Act') an Administrator was appointed.

2. The brief facts are that on 18.08.2013 elections to the Board of Directors of the Bank were conducted. On 18.09.2014, the Registrar issued an order restraining the Board of the Bank from taking any decision. This led to an embargo. On 04.02.2015 the Registrar issued a notice to the Members of the Board of Directors under Section 37

(1) of the Act and thereafter proceeded to supersede the body and appointed one Sh. Prakash Chander as Administrator of the Bank. The petitioner contends that despite lapse of considerable period of time, no further action has been taken and that in the meanwhile the tenure of the superseded Board itself is to end on 26.02.2016.

3. The third respondent in its affidavit contends that after the process of verification, out of 2182 members, the particulars of 592 members could not be verified in spite of door to door verification. In these circumstances, the Court is of the opinion that the verified list may be duly finalised and sent to the Registrar within two weeks. The Registrar shall appoint a Returning Officer who shall conduct the elections and schedule it in such a manner that the new Board of Directors is in place on or before 26.02.2016. In other words, the appointment of the Returning Officer and the conduct of elections shall be ensured after receipt of the verified members' list, as indicated above.

4. The writ petition is allowed in the above terms.
Dasti.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

JANUARY 27, 2016

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