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

+ **W.P.(C) 11010/2015 and CM No. 28383/2015**

RAKESH KUMAR PAUL

..... Petitioner

Through: Mr Ashok Drall, Adv.

versus

**JHAND COOPERATIVE GROUP HOUSING SOCIETY LTD. &
ORS.**

..... Respondents

Through: Mr Rajal Rai, Adv. for R-1

Mr Dev Vrat, Adv. for R-2

Mr Rahul Bakshi, Adv for Respondent No.3/DDA

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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14.03.2016

The petitioner seeks a direction that his name sent be included in the list of proposed members sent by the first respondent to respondents 2 and 3 for the draw of lots. The first respondent-Society in its counter-affidavit points out that the petitioner had sought to obtain membership by a process of transfer from the existing member. However, that proposal was not accepted by the Registrar of Societies pursuant to which the petitioner filed an affidavit dated 16.10.2013 whereby he accepted that the Society could allot the flat in the name of Shri Sushil Kumar Sawhney (Membership No. 311) as he was original member.

This Court is of the opinion that the petitioner's membership

itself was never approved. In these circumstances, he cannot legitimately claim any relief—of the kind for a direction to include his name in the draw of lots.

Having regard to this position, learned counsel for the petitioner seeks liberty to withdraw the petition.

The petition is dismissed as withdrawn.

The interim stay granted by the Court is hereby vacated.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

MARCH 14, 2016

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