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

+ W.P.(C) 2921/2017

FEDERATION OF DISABLED RIGHTS Petitioner

Through: Mr. Kamlesh Kumar Mishra
with Mr. Vishal Kalra,
Advts.

versus

UNION OF INDIA & ORS.

..... Respondent

Through: Mr. Ripu Daman Bhardwaj,
CGSC with Mr. T.P. Singh
and Mr. Sahaj Garg, Advts.
for UOI.
Mr. Sanjoy Ghose, ASC for
the GNCTD.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

% **26.05.2017**

CM No.12752-53/2017

Allowed, subject to all just exceptions.

W.P.(C) No.2921/2017 & CM No.12751/2017 (stay)

1. The petitioner seeks an order against the respondent directing reservation of 3% seats for the disabled persons in the elections of Councillors for the MCD, which required to be held in terms of the Delhi Municipal Corporation Act, 1957 (hereinafter 'DMC Act').

2. No mandamus as has been sought to this effect can be issued.

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3. The second prayer is made by the petitioner for an order directing the Lieutenant Governor of Delhi to nominate an eminent personality from the disabled persons of Delhi to all the local bodies of Delhi. It is submitted that the power to nominate such personality has been conferred on Lieutenant Governor under Section 3 of the DMC Act.

4. No direction in these terms can be issued inasmuch as if there is a disabled eminent personality, it would not come in the way of consideration for such person in nomination in terms of Section 3 of the DMC Act.

5. This writ petition is disposed of in the above terms.

ACTING CHIEF JUSTICE

C. HARI SHANKAR, J

MAY 26, 2017/pmc