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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5884/2016
PRATHAM MITTAL Petitioner
Through: Mr. Prasouk Jain, Advocate

versus

THE REGISTRAR, COOPERATIVE SOCIETIES, DELHI & ANR
..... Respondents
Through: Mr. Peeyoosh Kalra, ASC for R-1/RCS-
GNCTD .
Mr. Kamal Bansal, Advocate for R-2.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **26.04.2017**

1. The present petition arises out of an order dated 28.11.2016, passed by the Assistant Registrar Cooperative Societies on a claim petition filed by the petitioner herein and three others against the Respondent No. 2/Bank and twelve of its Directors who were elected in the election held on 17.07.2016.
2. During the pendency of the present petition, the respondent filed a petition under Section 70 of DCS Act, 2003, for setting aside of the elections to the Board of Directors of the respondent/Bank, alleging therein that the elections were illegal and unconstitutional. The said petition was, however, dismissed by the learned Assistant Registrar (Arbitration), vide order dated 28.11.2016. A copy of the order dated 28.11.2016 is handed over by the learned counsel for the Respondents and is taken on record.
3. We are informed that the petitioner herein has not filed an appeal against the aforesaid order which has attained finality.

4. It is not clear as to why has the aforesaid order not been brought to the notice of the Court though the petitioner was granted liberty to invoke the alternate remedy available to him in accordance with law.
5. Learned counsel for the petitioner states that he has instruction to withdraw the present petition.
6. Accordingly, the present petition is dismissed as withdrawn along with the pending applications.

HIMA KOHLI, J

SANGITA DHINGRA SEHGAL, J

APRIL 26, 2017

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