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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7993/2016**
SANJIV AGGARWAL Petitioner
Through : Mr. P.R. Chopra, Advocate.

versus

BHARAT SCOUTS AND GUIDES AND ORS. Respondents
Through: Mr. Santosh Krishanan and
Mr. Gaurav Aggarwal, Advocates for R-1 & 2.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
% **02.03.2017**

1. As per the Registry, respondents No.3 to 9 have been duly served. However, none has appeared on their behalf, nor have the counter affidavits been filed. Accordingly, the respondents No.3 to 9 are proceeded against *ex-parte*.
2. Pleadings *qua* the respondent No.1 and 2 are complete.
3. The petitioner prays for striking down a list of Life Members of the respondent No.1, as declared on 03.8.2016. The main grievance of the petitioner is that the respondent No.1 had prepared a list of 23 Life Members of the respondent No.1/Association as on 03.8.2016 and the petitioner and the respondents No.3 to 9 are a part of the said list. At the same time, the names of the respondents No.3 to 9 are featuring in the list of Associate Members displayed by the respondent No.1 on its website. In support of the said submission, Mr. Chopra, counsel for the petitioner refers to Annexure P-2, which includes the list of Life Members of the respondent No.1 vis-a-

vis Annexure P-3, which includes the list of Associate Members. It is stated that the respondents No.3 to 9 whose names are featuring at Sr. No. 17-23 of the list of Life Members, also feature at Sr. No. 34 to 39 and 42 of the list of Associate Members, which is impermissible as it would adversely affect the prospects of the petitioner, who has filed his nomination papers to contest for the post of a Life Member Representative, that was received by the respondent No.1 in August, 2016 (Annexure P-5).

5. Learned counsel for the respondents No.1 and 2 draws the attention of the court to the documents filed by the petitioner as Annexure P-6, Minutes of the Meeting of the respondent No.1, held on 04.3.2016 to state that the names of the respondent No 3 to 9 were approved for enrolment as Life Members of the respondent No.1 and once they have been enrolled as Life Members, their names shall automatically stand deleted from the list of Associate Members. He therefore explains that there is no overlap in the list of Life Members and Associate Members, as contended by the other side. He also seeks to clarify that the election to the post of the Life Member Representative was to be conducted in August, 2016, but due to disputes raised by the petitioner herein, the said elections have been deferred and the same shall be conducted in the near future.

6. Satisfied with the reply given by the other side, learned counsel for the petitioner states that as long the names of the respondents No. 3 to 9 are not shown in two lists and are deleted from the list of Associate Members, he has no objection to the elections being conducted now.

7. The petition is accordingly disposed of in view of the submissions made by counsel for the respondents No.1 and 2. It may be observed herein that while disposing of this petition, the court has not expressed any opinion

on the maintainability of the present petition, an objection that has been raised by the respondents No.1 and 2 in the counter affidavit. The said issue is left open for adjudication in an appropriate petition.

HIMA KOHLI, J

MARCH 02, 2017

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