

\$~20

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7607/2017**

SMT. MAMTA THADANI AND ORS Petitioners

Through: Mr R.K. Gupta, Adv.

versus

THE REGISTRAR CO-OPERATIVE SOCIETIES AND ANR
..... Respondents

Through: Mr Ramesh Singh, Standing Counsel and
Mr Sandeep Pathak, Adv for respondent No.1

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER
% **30.08.2017**

1. The petitioners, who are admittedly, similarly placed as the petitioners in W.P. (C) No. 5377/2014, a petition that was disposed of along with W.P.(C) No.1797/2015, by a common order dated 27.07.2017 (Annexure P/7), are seeking quashing of the order dated 17.07.2014, on the ground that the same is in violation of the order dated 20.07.2011 passed in W.P.(C) No. 5082/2011 to the extent that the Returning Officer has been directed to conduct elections of the Society, by allowing only 600 members to participate in the elections. The second relief prayed for by the petitioners is for directions to the Returning Officer, appointed by the respondent no.1/RCS to conduct elections allowing 717 members to cast their votes.

2. It is apparent that a similar prayer, i.e., for allowing 717 members to participate in the elections and for quashing the order dated 17.07.2014

relating to permission granted to 600 original members to participate in the elections, was made in W.P.(C) No. 5377/2014. After detailed arguments addressed in the said writ petition, the petitioners therein had ultimately withdrawn the said petition while reserving their right to take legal recourse against the RCS/DDA/Respondent No.3, as per law.

3. Mr Gupta, learned counsel for the petitioners states that he may be permitted to withdraw the petition while reserving the petitioners' right to take recourse as may be available as per law. Liberty is granted as prayed for.

4. The petition is dismissed as withdrawn.

HIMA KOHLI, J

DEEPA SHARMA, J

AUGUST 30, 2017
bg