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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10112/2017**
PRADEEP RANA

..... Petitioner

Through **Mr.Prag Chawla, Mr.Sandeep and
Mr.S.Shokeen, Advocates.**

versus

DELHI BHARATI CHIKITSA PARISHAD AND ORS

..... Respondents

Through **Mr.Ramesh Singh, Standing Counsel
with Mr.Sandeepan Pathak, Adv. for
GNCTD.
Dr.Vijay Kumar, Returning Officer in
person.**

+ **W.P.(C) 10122/2017**
ARUN KUMAR

..... Petitioner

Through **Mr.Prag Chawla, Mr.Sandeep and
Mr.S.Shokeen, Advocates.**

versus

DELHI BHARATI CHIKITSA PARISHAD AND ORS

..... Respondents

Through **Mr.Varun Nishchal, Advocate for
GNCTD.
Dr.Vijay Kumar, Returning Officer in
person.**

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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15.11.2017

C.M. No.41329/2017 (exemption) in W.P.(C) 10112/2017
C.M. No.41344/2017 (exemption) in W.P.(C) 10122/2017

Exemption is allowed subject to just exceptions. Applications disposed of.

W.P.(C) 10112/2017 & C.M. No.41328/2017
W.P.(C) 10122/2017 & C.M. No.41343/2017

There are two petitioners before this Court. Pradeep Rana in WP(C) No.10112/2017 and Arun Kumar in WP(C) No.10122/2017. They are both aggrieved by the fact that their names have not been considered for the purposes of nomination to the post of members of the respondent no.1 Parishad.

Without delving into further details this Court notes that the Returning Officer had rejected the nominations of the aforementioned two petitioners for discrepancies in the name of the proposer qua the first candidate and certain over-writings qua the second candidate.

The matter had been passed over in the pre-punch hour. It has now been listed in the post lunch hour. The record of the Department has been requisitioned. The Returning Officer is present.

In WP(C) 10112/2017 the Returning Officer had rejected the candidature of the petitioner noting that the address of the proposer Dr.Balraj Singh Gehlawat did not match the record available with the Returning Officer. The same has been perused. The name of the proposer is Dr.Balraj Singh Gehlawat. In the nomination paper his address has been shown as Village and P.O. Mitraon, New Delhi whereas in the record of the Returning Officer the address is the same but the number of the house has been detailed. This is not a material

discrepancy which would disentitle the name of the petitioner to be considered for the purposes of nomination.

In WP(C)10122/2017 the candidature of Arun Kumar has been rejected for certain over-writings. The said over-writings have been perused. They appear to be minor in nature. There is no reason why the name of the aforementioned petitioner i.e. Arun Kumar also be not considered for nomination to the post of member of respondent no.1.

Accordingly it is ordered that the names of the aforementioned two candidates be considered as nominees to the post of members of respondent no.1.

Learned counsel for respondent at this stage points out that since the election schedule had already been carved out by the Returning Officer and the dispatch of the ballot papers has already taken today (15.11.2017) it will be a financial burden upon respondent no.1 if they are asked to again afresh the ballot papers with the newly added candidates (namely Pradeep Rana and Arun Kumar). The cost of the same would work out to about Rs.1,07,000/- for the dispatch of fresh ballot papers.

Learned senior counsel for the petitioners submits that the aforementioned two petitioners (Pradeep Rana and Arun Kumar) are willing to bear the expenses in equal proportion. Ordered accordingly. These expenses shall be paid to respondent no. 1 latest by tomorrow.

In view of the aforementioned order passed respondent no.1 is permitted to issue a corrigendum declaring the new schedule of the election.

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Petitions disposed of in the above terms.)

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

NOVEMBER 15, 2017

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