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

+ LPA 71/2018, CM APPL. 7072/2018 (condonation of delay 18 days in filing of appeal), CM APPL. 7074/2018 (stay), CM APPL. 8220/2018 (for directions to vacate the interim order dt. 26.02.2018) and CM APPL. 21821/2018 (seeking permission to place documents on record)

NINA P NAYAK & ANR Appellants

Through: Ms Aparna Bhat and Mr Mayank Sapra,
Advs.

versus

REGISTAR OF SOCIETIES & ORS Respondents

Through: Ms Prabhsahay Kaur, Adv for GNCTD
Mr Pritha Srikumar and Ms Vasudha Sharma, Advs.
for R-2

Mr Nikhil Nayyar and Mr N. Sai Vinod, Advs for R-3
Mr Ripu Daman Bhardwaj, CGSC and
Mr T.P. Singh, Adv for R-4 (UOI)

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **23.05.2018**

1. The present Letters Patent Appeal under clause 10 of the Letters Patent Act assails the order dated 02.01.2018 passed by a learned Single Judge of this Court in W.P.(C) No.11116/2015, titled as “*Nina P. Nayak & Anr. vs. Registrar of Societies & Ors.*” In this behalf, our attention has been invited to an order dated 26.03.2018 being CRE-15/32/2015-Creche, issued by the concerned Under Secretary to the Government of India, Ministry of Women and Child Development.

2. A perusal of the same reflects that, in view of the relevant records submitted by the Court appointed Committee, which indicate that there has been a systemic failure as far as checks and balances regarding utilization of the funds provided by the Government is concerned; the Hon’ble Minister has granted approval for the constitution of a Committee under the

Chairpersonship of JS & FA for conducting an enquiry on the basis of those reports. Further, the following Director/Deputy Secretaries of the Ministry has been deputed as Presenting Officers of the Committee entrusted with the task of conducting enquiry in States/UTs mentioned against their name:-

Teams	Officers/Officials	States
Team 1	Shri A.K. Yadav, DS	• Andhra Pradesh • Telengana • Tamil Nadu • Pondicherry • Kerala • Karnataka • Lakshadweep
Team 2	Shri M.K. Singh, Director	• Chhattisgarh • Odisha • Jharkhand
Team 3	Shri V.S. Yadav, DS	• Gujarat • Madhya Pradesh • Rajasthan • Maharashtra • Dadar & Nagar Haveli
Team 4	Shri S.R. Meena, DS	• Manipur • Meghalaya • Mizoram • Nagaland • Arunachal Pradesh • Assam • Tripura
Team 5	Ms. Shipra Roy, DS	• West Bengal • Bihar • Uttar Pradesh • Delhi
Team 6	Shri K.C. Behera, DS	• Himachal Pradesh • Jammy & Kashmir • Uttarakhand

		• Punjab • Haryana • Chandigarh
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3. In addition to the above, JS & FA has been permitted to engage two consultants for providing secretarial assistance. The Committee has been further required to submit its report to the CVO within a period of six months from the date of the order.
4. Learned counsel appearing on behalf of Union of India states that the Committee is currently in the process of conducting an enquiry.
5. In view of the foregoing and to allay the apprehension articulated on behalf of the appellant, that the members of the Indian Council for Child Welfare (ICCW) may manipulate the relevant record in relation to the systemic failure reported by the Committee appointed by the High Court, as reflected in the impugned order, it is directed that the Committee shall take necessary steps to secure the relevant record forthwith.
6. It is also observed that the petition filed on behalf of the appellant, including the allegations levelled therein, against the private respondents, are still pending adjudication before the learned Single Judge.
7. In view of the above, the present appeal is disposed off with the above direction.
8. Interim order dated 26.02.2018 stands vacated accordingly.
9. All pending applications also stand disposed off.
10. A copy of this order be given *dasti* under the signature of Court Master to the learned counsel appearing on behalf of the parties.

SIDDHARTH MRIDUL, J

DEEPA SHARMA, J

MAY 23, 2018/bg