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

Date of decision: 14th November, 2019

+ LPA 666/2019

PARALYMPIC COMMITTEE OF INDIA & ORS .. Appellants

Through: Mr. Prosenjeet Banerjee, Adv. with
Mr. Naveen Chaudhary, Ms.
Shreya Singhal and Ms.Meera
Menon, Adv.

versus

S P SANGWAN & ORS Respondents

Through: Mr. Jayant Mehta, Adv. with Mr.
Abhinav Agrawal, Adv. R-1
Mr. Anil Dabas, adv. with Mr.
Praveen Kumar, Adv. for R-7/UOI

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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14.11.2019

D.N. PATEL, CHIEF JUSTICE (ORAL)

1. This Letters Patent Appeal has been preferred by the appellant Nos. 1 to 6 (original Respondent Nos.2, 4, 5, 7, 10 & 12 respectively in the writ petition) against the impugned order dated 1st October, 2019 passed in W.P.(C) 10647/2019 by the learned writ court wherein the learned Single Judge has been pleased to held in para 17 as under:-

17. Normally courts would be very reluctant to interfere in the election process once it set up in motion, however, keeping in view the above noted facts, I am constrained, at this juncture, to interdict the elections. Even otherwise, apparently there is no polling required on 10.10.2019 because the final list of validly nominated candidates is

equal to the number of post. Accordingly, the notification of election dated 03.09.2019 is stayed and the Returning Officer is also restrained from declaring the result of the elections till the next date of hearing.”

2. Learned counsel appearing for the respondents submits that W.P.(C) 10647/2019 is already fixed for hearing on 10th December, 2019 before the learned Single Judge and pleadings are to be completed by the parties before the said date, and also stay application being CM No. 43984/2019 in the W.P.(C) 10647/2019 is pending before the learned Single Judge, hence this LPA may not be entertained by this Court.

3. In view of the above submission, we see no reason to entertain this LPA, as the next date of hearing in the writ petition is 10th December, 2019 and also for the reason that stay application in the writ petition is also pending before the learned Single Judge. Parties are at liberty to request the learned Single Judge to finally dispose of the W.P.(C) No. 10647/2019 at the earliest, if possible.

4. Learned counsel for both the sides shall request to the learned Single Judge for an early date of hearing of the writ petition. The same may be considered by the learned Single Judge, looking to the nature of dispute involved in the writ petition.

5. All the grounds which are mentioned in this Letters Patent Appeal are kept open to be argued before the learned Single Judge in W.P.(C) 10647/2019.

6. With these observations, this Letters Patent Appeal is hereby disposed of.

CHIEF JUSTICE

NOVEMBER 14, 2019/dsn

C.HARI SHANKAR, J.

