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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 1199/2018 & CM APPL. 40853/2018

KHILARI GOSWAMI

..... Petitioner

Through: Mr. Tarun Diwan & Ms. Darshika
Tahlani, Advocates.

versus

GOSWAMI SAMAJ DELHI (REGD) & ORS Respondents

Through: Mr. Abhishek Kumar, Mr. Harmesh
Kumar, Advocates for R-1, 3, 4, 5 &
6.
Mr. Md. Irshad, Advocate for R-8.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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18.01.2019

It has been submitted on behalf of the petitioner by the learned counsel present that the respondent nos. 2, 9, 10, 11 who have not been served are sought to be deleted from the array of parties. In view of the submissions made on behalf of the petitioner that the respondent no.2 is the Ex-President of the Society supporting the case of the petitioner and that the respondent nos. 9, 10 & 11 were co-plaintiffs in the suit filed by the plaintiff i.e. the petitioner herein, the prayer made seeking deletion of the respondent nos. 2, 9, 10 & 11 from the array of parties is allowed.

The amended memo of parties be submitted on record.

During the course of submissions that have been made on

behalf of either side, it is brought forth that the petitioner herein has already filed an application seeking clarification/directions qua the order dated 07.09.2018 of the First Appellate Court of the learned ADJ-01, North East District in MCA DJ 07/2017 i.e. the order impugned herein. Apparently thus, it is for the petitioner to seek redressal only after the disposal of the said application.

The petition is thus, disposed of with directions that the petitioner may seek redressal in relation to the application already filed seeking clarification of the order dated 07.09.2018 with virtually a similar relief having been sought to be urged now during the course of submissions made that those who had paid the subscription dues in terms of the proceedings dated 23.02.2018 would be allowed apparently to participate in the election process on the basis of the earlier notification or whether a fresh election process was required.

The petitioner would be entitled to seek redressal, if any, required in accordance with law after disposal of that application.

ANU MALHOTRA, J

JANUARY 18, 2019/NC