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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 3092/2020 and CM No. 10745/2020, CM No. 10746/2020,  
CM No. 10747/2020  
SUBHASH CHANDRA ..... Petitioner  
Through: Mr.Alakh Alok Srivastav, Advocate  
versus  
DELHI MINORITIES COMM. & ORS ..... Respondents  
Through: Mr.Anupam Srivastav, Advocate for  
GNCTD

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

**HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL**

**ORDER**

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**11.05.2020**

**[VIA VIDEO CONFERENCING]**

1. This petition filed in public interest seeks a direction to respondent No. 1/Delhi Minorities Commission, respondent No. 2/GNCTD and respondent No. 3/ Lieutenant Governor of Delhi, to forthwith remove respondent No. 4 /Mr. Zafarul Islam from the post of Chairperson of Delhi Minorities Commission, in exercise of powers under Section 4(4)(f) of the Delhi Minorities Commission Act, 1999.
2. It is inter alia the contention of the counsel for the petitioner that the respondent No. 4 has abused his position of Chairperson of the Delhi Minorities Commission and his continuance on the said post is detrimental to public interest.
3. It has come on record that the term for which the respondent No. 4 was appointed, is coming to an end on 14<sup>th</sup> July, 2020. It is argued that if removal of the respondent No. 4 is delayed, this petition would become

infructuous.

4. The counsel for the respondent Nos. 1 to 3 states that the Hon'ble Lieutenant Governor, Delhi has already directed steps to be taken in this respect and on 08<sup>th</sup> May, 2020 a notice to show cause has already been issued to respondent No. 4 and decision would be taken.

5. Having heard the counsels, we are of the opinion that since under Section 4(4)(f) of the Delhi Minorities Commission Act, the opinion whether a Member or a Chairperson of the Delhi Minorities Commission has abused his position and/or in the public interest is liable to be removed from the post of Chairperson or Member, is to be of the GNCTD, it is not open to this Court to order removal of the respondent No. 4 even before the respondents Nos. 1 to 3 have formed an opinion in this respect.

6. Once respondent Nos. 1 to 3 through counsel have stated that they have already initiated steps in this regard, it is expected that the respondent Nos. 1 to 3, considering that the term of appointment of respondent No. 4 is lapsing on 14<sup>th</sup> July, 2020, would take the decision expeditiously and within a reasonable time, so that the decision is not infructuous.

7. For disposing of the petition in terms of the above, the need to issue notice to respondent No. 4 is not felt.

8. The petition is disposed of in terms of above.

**RAJIV SAHAI ENDLAW, J.**

**SANGITA DHINGRA SEHGAL, J**

**MAY 11, 2020 / SU**

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