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IN THE HIGH COURT OF DELHI AT NEW DELHI

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FAO 169/2020, CM APPL. 22200/2020 & CM APPL. 22201/2020

JANTA ADARSH SHIKSHA SANSTHAN (REGD.) & ANR.

..... Appellants

Through: Mr. J.P. Sengh, Sr. Advocate with Mr.
Shivan Sharma, Advocate.

versus

SH. SANJIV KUMAR AGARWAL & ORS.Respondents

Through: Mr. Anil Goel, Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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10.09.2020

1. The hearing was conducted through video conferencing.
2. Issue notice. The learned counsel named above accepts notice on behalf of the respondents.
3. Elections have to be held for the appellant/society- Janta Adarsh Shiksha Sansthan in the month of September, 2020. The manner in which the elections were proposed to be held has become a matter of dispute.
4. According to Mr. J.P. Sengh, the learned Senior Advocate for the appellants, the impugned order has disposed-off an application which was not argued and has erred in not addressing an application which was argued. This, however, is disputed by the learned counsel for the respondents.
5. Be that as it may, during the course of hearing, the learned counsel for

the parties submits that the *lis* can be settled, if the elections could be held through Returning Officer appointed by this Court, who would first determine the list of voters.

6. The learned counsel for the respondent/plaintiff submits that if the *lis* is settled, the respondent will withdraw the suit. The Election Officer shall verify the electoral list.
7. Mr. Goel, the learned counsel for the respondent submits that Rs.2 lacs may be fixed as fees for the Returning Officer, for which there is no objection by Mr. J.P. Sengh, the learned Senior Advocate for the appellants. Let Rs. 2 lacs be paid to the Returning Officer.
8. The learned counsels for the parties submit that a retired court official be appointed. The name of Mr. Hoshiyar Singh, a retired Senior Judicial Assistant, who worked as a Court Master in this court, was mentioned. Both the learned counsel readily agreed to the name. Accordingly, with the consent of the parties Mr Hoshiyar Singh (Mob No. 9868472361) is appointed as the Returning Officer who shall conduct the elections as per rules of the Society.
9. The appeal, alongwith pending applications, is disposed-off in the above terms.
10. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsel through e-mail.

NAJMI WAZIRI, J

SEPTEMBER 10, 2020

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