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

+ W.P.(C) 11116/2015, CM APPL. 28790/2015, CM APPL. 28791/2015, CM APPL. 30022/2015, CM APPL. 26327/2016, CM APPL. 46577/2016, CM APPL. 48321/2016, CM APPL. 11849/2017, CM APPL. 15143/2017 & CM APPL. 53128/2018

NINA P. NAYAK AND ANR

..... Petitioners

Through: Ms. Aparna Bhat and Ms. Karishma Maria, Advocates.

versus

REGISTRAR OF SOCIETIES AND ORS

..... Respondents

Through: Mr. Ripu Daman Bhardwaj, CGSC with Mr. Kushagra Kumar, Mr. Abhinav Bhardwaj and Mr. K. Manaswini, Advocates for UOI.
Mr. Anubhav Gupta, Panel Counsel with Mr. Saksham Gupta, Advocate for R-1.
Ms. Bharathi Raju, Senior Panel Counsel for UOI.
Ms. Pritha Sri Kumar and Mr. Arun Sri Kumar, Advocates for R-2.
Mr. Gautam Narayan with Ms. Asmita Singh, Mr. Harshit Goel, Mr. K. V. Vibhu Prasad and Mr. Sujay Jain, Advocates for R-3.

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

07.02.2024

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1. The present petition is filed under Article 226 of the Constitution of India with the following prayer: -

a. Issue a writ of certiorari or any other appropriate writ, order or direction quashing the amendments to the Memorandum of



Association dated September 2, 2014;

b. Issue an appropriate writ, order or direction to the Respondent No. 1 to seize all records of the Respondent No. 3 and direct an enquiry to be conducted to the functioning of the Respondent No. 3, including the financial dealings of the Respondent No. 3 and take appropriate action against the Respondent No. 3;

c. Issue an appropriate writ, direction or order declaring all actions which are carried out by the President or any functionary of the Respondent No. 3, pursuant to the amended provisions of the Memorandum of Association dated September 2, 2014 as invalid;

d. Issue a writ of certiorari or any other appropriate writ, order or direction-quashing the notification for election consequent to the amendment to the Memorandum of Association dated September 2, 2014;

e. And pass such other order or orders as this Hon'ble Court may deem fit in the facts and circumstances of the case;

2. Mr. Gautam Narayan, Advocate appearing on behalf of the respondent no. 3 stated that the amendments have already been made in the Memorandum of Association dated 02.09.2014 and thereafter CBI has already undertaken the investigation and three elections have been conducted. It is further stated that FIR bearing no. 0039/2019 was got registered by Delhi Police under sections 406/420 IPC at PS Parliament Street and the investigation was transferred to CBI vide letter dated 15.02.2023 issued by Ministry of Women and Child Development, Government of India. It is stated that the CBI has already undertaken the investigation pertaining to RC0032023A006 dated 07.03.2023 into the affairs of the respondent no. 3.

3. The counsel for the petitioner stated that as the investigation has already been transferred to CBI, as such the present petition be disposed of.



4. Accordingly, the present petition is disposed of along with pending applications, with the liberty to the petitioner to initiate appropriate legal proceedings in accordance with altered circumstances.

DR. SUDHIR KUMAR JAIN, J

FEBRUARY 7, 2024

Sk/ak



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