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

+ W.P.(C) 631/2025

SUMAN KUMAR

.....Petitioner

Through: Petitioner in person.
M: 9958299558
Email:
sumankumar@smcindiaonline.com

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Kushagra Kumar, SPC for UOI
M: 9910770710
Email: kushagrakarsae@gmail.com
Ms. Pinky Anand, Senior Advocate
with Mr. Srinivas Kotni, Mr. Shyam
Kishor Maurya, Mr. Samrat Pasricha,
Ms. Nayolika Party, Mr. Kumar
Navnit, AR and Mr. Ram Dhanka,
AR for R-2 & R-3.
Mr. Bhaskar Bhardwaj and Mr.
Vakeel Ahmed, Advocates for R-5

+ W.P.(C) 632/2025 & CM APPL. 2991/2025

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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

28.04.2025

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1. The present writ petitions have been filed seeking setting aside of the impugned orders dated 3rd January, 2025 and 17th December, 2024, passed by the learned Election Tribunal, i.e., Tribunal for Deciding the Election Dispute to the 14th Council of the Institute of Company Secretaries of India, held in December, 2022.
2. The petitioner, who appears in-person, submits that the interim applications had been filed before the learned Election Tribunal, bringing forth various instances of unfair practices. However, by way of the said impugned orders, after recording the submissions made by the parties, the learned Election Tribunal, passed the impugned orders, without giving any reason, thereby, dismissing the interim applications filed by the petitioner.
3. *Per contra*, learned Senior Counsel appearing for the respondents no. 2 & 3, i.e., the Institute of Company Secretaries of India ("ICSI") submits that *vide* order dated 13th January, 2025, passed in *W.P. (C) 556/2023*, this Court has already directed that the election petition of the petitioner pending



before the learned Election Tribunal, be disposed of, and be considered finally, in terms of the Company Secretaries (Election Tribunal) Rules, 2006.

4. She further submits that pursuant to the directions passed by this Court *vide* order dated 13th January, 2025, in *W.P (C) 556/2023*, the learned Election Tribunal is required to give its judgment expeditiously, not later than 30th April, 2025. The relevant portion of the order dated 13th January, 2025, passed in *W. P. (C) 556/2023*, is reproduced as under:

“xxx xxx xxx

7. In my view, no purpose will be achieved in keeping this application pending since interim applications have been disposed of by the Tribunal and the next date of hearing on the petition is 31.01.2025. Looking at the number of orders passed by this Court directing the Tribunal to decide the election petition filed by the Petitioner expeditiously, this Court reiterates the direction and is sanguine that no unnecessary delay will take place in the disposal.

8. Accordingly, this application is disposed of directing that the Tribunal will dispose of the pending election petition of the Petitioner expeditiously and not later than 30.04.2025. Insofar as the interim orders passed by the Tribunal are concerned, it is left open to the Petitioner to lay a challenge to the same in accordance with law.

xxx xxx xxx”

(Emphasis Supplied)

5. Considering the aforesaid, this Court notes that the learned Election Tribunal shall render a final finding on the election petition of the petitioner, by 30th April, 2025.

6. This Court expects that the learned Tribunal shall consider the submissions and documents of all the parties, at the time of giving its final order.

7. Further, keeping in view the submissions made before this Court, it is directed that the election record shall be kept in safe custody, by the



respondent no. 3, i.e., Returning Officer, ICSI.

8. It is clarified that in case the petitioner is aggrieved by the order passed by the learned Election Tribunal, the petitioner shall be at liberty to challenge the same, in accordance with law.

9. Accordingly, no further orders are required to be passed in the present petitions.

10. Noting the aforesaid, the present petitions, along with pending application, are accordingly, disposed of.

MINI PUSHKARNA, J

APRIL 28, 2025

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