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

+ **W.P.(C) 13584/2025 & CM APPL. 77969/2025**

ISHWAR GHAVRI

.....Petitioner

Through: None.
versus

**KASHMIR APPLE MERCHANTS ASSOCIATION KAMA AND
OTHERS**

.....Respondents

Through: Mrs. Avnish Ahlawat, SC-GNCTD
with Mr. Nitesh Kumar Singh, Mr.
Aliza Alam, Mr. Mohnish Sehrawat,
Advocates (M:9313964463)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **10.12.2025**

CM APPL. 77969/2025

1. None appears for the petitioner when the matter is called out.
2. The present application has been filed on behalf of respondent nos. 1 and 2 seeking rejection of the present writ petition.
3. Learned counsel for the respondent nos. 1 and 2 submits that the membership of the petitioner with the Kashmir Apple Merchants Association ("Association") has already been suspended, which was duly communicated to him. Further, prior to such suspension, two notices dated 20th September, 2024 and 17th October, 2024 were issued to the petitioner, wherein, he was specifically cautioned and instructed not to misuse the auction place for retail trading, as the same is in violation of the Agricultural Procedure Market Committee ("APMC") Rules and contrary to the objectives and functioning of the Association.
4. It is submitted that despite such notices, the petitioner neither responded nor furnished any clarification regarding his conduct. Consequently, his membership was finally suspended *vide* letter dated 23rd



October, 2024.

5. Thus, it is the case of the respondent nos. 1 and 2 in the present application that since the petitioner is no longer a member of the Association, he has no right, whatsoever, to contest the election. Hence, no cause of action exists in favour of the petitioner.

6. This Court notes that the present writ petition has been filed seeking to declare the pronouncement of election results of the Association *vide* Circular dated 28th August, 2025, as null and void and to conduct fresh elections to the said Association.

7. Considering the submissions made before this Court, it is apparent that the petitioner is not a member of the Association any longer, as his membership has been suspended. Submissions on behalf of respondent nos. 1 and 2, in this regard, are reproduced as under:

“xxx xxx xxx

4. That the petitioner is well aware that his membership with the Kashmir Apple Merchants Association has already been suspended, which was duly communicated to him. Prior to such suspension, two notices dated 20.09.2024 and 17.10.2024 were issued to the petitioner, wherein he was specifically cautioned and instructed not to misuse the *Phar* (auction place) for *retail trading (Maashakhori)*, as the same is in violation of the APMC Rules and contrary to the objectives and functioning of the Association. Despite such notices, the petitioner neither responded nor furnished any clarification regarding his conduct. Consequently, his membership was finally suspended *vide* letter dated 23.10.2024. Since the petitioner is no longer a member of the Association, he has no right whatsoever to contest the election. Hence no cause of action has been exists in favour of the petitioner.

xxx xxx xxx”

8. Therefore, in view of the submissions made before this Court, it is



clear that when the petitioner is not a member of the Association, there is no cause of action in favour of the petitioner.

9. Accordingly, noting the aforesaid, the present writ petition, along with pending application, is disposed of.

DECEMBER 10, 2025/au

MINI PUSHKARNA, J