

Shiromani Akali Dal (Delhi State) & Anr vs Directorate Of Gurdwara Elections & Ors on 2 March, 2021

Author: Jasmeet Singh

Bench: Chief Justice, Jasmeet Singh

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IN THE HIGH COURT OF DELHI AT NEW DELHI

LPA 303/2020 & CM APPL.25987-25988/2020

SHIROMANI AKALI DAL (DELHI STATE) & ANR..... Appellant

Through: Mr. Abinash Kumar Mishra, Adv.

versus

DIRECTORATE OF GURDWARA ELECTIONS & ORS.

..... Resp

Through: Mr. Satyakam, ASC for R-1 to R-3

Mr. Anunaya Mehta, Adv. for R-4 & R-5

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% 02.03.2021 Proceedings in the matter have been conducted through video conferencing.

1. Learned counsel appearing for the parties submit that they have no objection if this matter is heard by this Bench. Categorically, the aforesaid statement is made twice, hence we are proceeding in this matter.

2. Having heard learned counsel for both the sides and looking to the facts and circumstances of the case, it appears that the respondents have now published electoral roll for the election of Appellant No.2. This electoral roll has been published on 18th February, 2021.

3. Looking to the counter affidavit dated 25th January, 2021 filed by the respondents No.1, 2 and 3, it appears that the respondents have scheduled a tentative time-line for preparation of voter list and publication of electoral roll etc. In this regard, the para 24 of the same reads as under:

"24. Further, the tentative Time-line for the revision of photo electoral rolls of Gurdwara Wards and elections of members to the Delhi Sikh Gurdwara Management Committee is as under:-

i) Inviting of claims and objections: 22.10.2020 to 31.12.2020
Addition/Deletion/Corrections (71 Days)

- ii) Verification of forms : 01.01.2021 to 21.01.2021 (21 Days)
- iii) Digitization and feeding of forms: 22.01.2020 to 10.02.2021 (20 days)
- iv) Printing of draft Photo Electoral : 11.02.2021 to 14.02.2021 Rolls (04 Days)
- v) Proof reading of the draft Photo : 15.02.2021 to 16.02.2021 Electoral Rolls by the EROs/AEROs. (2 Days)
- vi) Display of draft photo electoral 17.02.2021 to 09.03.2021 rolls for filing of objections : (21 Days)
- vii) Disposal of objections so: 10.03.2021 to 23.03.2021 received (14 days)
- viii) Preparation of final list for 24.03.2021 to 27.03.2021 printing of final electoral rolls : (04 Days)
- ix) Printing and Publication of : 28.03.2021 to 31.03.2021 final photo Electoral Rolls (04 Days) Tentative Election Schedule
- (a) Issue of Notification for Filing The Nomination paper : 01.04.2021 (Thursday)
- (b) Last date for making the Nominations : 08.04.2021 (Thursday)
- (c) Scrutiny of Nominations : 09.04.2021 (Friday)
- (d) Last date for withdrawal of Candidatures : 11.04.2021 (Sunday)
- (e) Date of Poll, if necessary : 25.04.2021 (Sunday)
- (f) Date of counting of votes : 28.04.2021 (Wednesday)
- (g) Date before which the election Process shall be completed : 29.04.2021 (Thursday)"

4. In view of the aforesaid time schedule given by the respondents No.1, 2 and 3, the respondents have substantially adhered to the schedule upto 18th February, 2021 - the date on which draft electoral roll has been published.

5. We expect from the respondents No.1, 2 and 3 to adhere to the aforesaid schedule which is given in para 24 subject to variation of fulfilment of the aforesaid schedule by two weeks. Thus, the aforesaid schedule shall be followed by respondents No.1, 2 and 3 with variation of two weeks and the final voters list will be published in accordance with law and the judgment delivered by the Hon'ble Supreme Court and this Court. The election of the Appellant No.2, as pointed out in the

memo of this petition, will be conducted in accordance with law, rules, regulations and policies in consonance with the decisions rendered by the Hon'ble Supreme Court as well as by this Court.

6. In view of the aforesaid observation made so far, learned counsel for the appellants submits that he is not pressing this appeal at this stage and seeks liberty to raise other contentions raised in this appeal before the learned Single Judge.

7. The appeal is disposed of as not pressed at this stage. All the applications pending in this appeal are also disposed of. Rest of the contentions raised in this appeal are permitted to be raised before the learned Single Judge.

CHIEF JUSTICE JASMEET SINGH, J MARCH 2, 2021 ns