

ITEM NO.12

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 152/2023

SHELLY OBEROI & ANR.

Petitioner(s)

VERSUS

OFFICE OF LIEUTENANT GOVERNOR OF DELHI & ORS.

Respondent(s)

(FOR ADMISSION and IA No.28115/2023-GRANT OF INTERIM RELIEF)

Date : 08-02-2023 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Shadan Farasat, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 Dr Abhishek Manu Singhvi, senior counsel appearing on behalf of the petitioner submits that :
 - (i) Though elections were conducted on 4 December 2022 to the Municipal Corporation of Delhi, the peculiar situation, as it emerges at present, is that no election has been conducted thereafter for the office of Mayor, Deputy Mayor and members of the Standing Committee.
 - (ii) Article 243R(2)(a) of the Constitution specifically provides that nominated persons shall not have a right to vote in the meeting of the Municipality; and
 - (iii) Since in terms of Section 76 of the Delhi Municipality Act, the Mayor (or in his

absence, the Deputy Mayor) have to preside at every meeting of the Corporation, the simultaneous holding of the elections to the post of Mayor, Deputy Mayor and members of the Standing Committee is strictly contrary to the provisions of the statute.

- 2 Issue notice returnable on 13 February 2023.
- 3 Dasti service, in addition, is permitted.
- 4 Liberty to serve the Central Agency in addition in respect of service on the Lieutenant Governor.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR