

Court No. - 29

Case :- WRIT - C No. - 31365 of 2018

Petitioner :- Kapil Gupta

Respondent :- The Institute Of Chartered Accountants Of India And 2 Others

Counsel for Petitioner :- Ujjawal Satsangi, Kartikeya Saran

Hon'ble Pankaj Mithal, J.

Hon'ble Ajay Bhanot, J.

Heard Sri Kartikeya Saran, learned counsel for the petitioner.

The petitioner is a Chartered Accountant living at Ghaziabad. He has preferred this writ petition in respect of the election of the institute of Chartered Accountants of India proposed to be held in December, 2018 for which an election officer has been appointed.

The grievance of the petitioner is that the election officer has proposed setting up of polling booths in various cities but in respect of city of Ghaziabad various residential localities such as Indirapuram, Shibabad, Vaishali, etc. have been excluded and have been separately shown but not as part of Ghaziabad, with the result the city of Ghaziabad will be having only one day polling in place of two days polling as prescribed under the rules for city having more than 2500 voters.

The petitioner's objection in this regard for clubbing the various residential localities of Ghaziabad has been rejected by the Returning Officer vide order dated 5.9.2018 without considering the above specific aspect of the matter.

In view of the aforesaid facts and circumstances, we dispose of the writ petition with the direction to the Returning Officer to revisit his aforesaid order and to specifically deal with the request of the petitioner to recognize Ghaziabad as one city with 2500 members and to provide two days for polling after clubbing the residential localities of Indirapuram, Sahibabad, Vaishali, etc. The Returning Officer may revisit the above matter most expeditiously so that the proposed election programme may not be disturbed.

Order Date :- 17.9.2018

Ashish Tripathi