

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 &amp; ANR.

Petitioner(s)

VERSUS

OFFICE OF LIEUTENANT GOVERNOR OF DELHI &amp; 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, no election has been conducted thereafter for the offices 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 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**