



2026:DHC:6165



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

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Judgment reserved on: 29.07.2026

Judgment pronounced on: 31.07.2026

Judgment uploaded on: 31.07.2026

+ **W.P.(C) 9755/2026, C.M. Nos.45497/2026 and 48219/2026**

KIRAN RAMAKANT TEMKAR & ANR.Petitioner

Through: Mr. Mohit Khanna, Advocate

versus

THE LIEUTENANT GOVERNOR, NCT OF DELHI
& ORS.Respondent

Through: Mr. Sameer Vashisht, Standing
Counsel (Civil) GNCTD with Ms
Harshita Nathrani and Mr.
Aryaman, Advocates for R-1

Mr. Ripu Daman Bhardwaj,
CGSC with Mr. Kushagra Kumar
and Mr. Amit Kumar Rana,
Advocates for R-2.

Mr. Salim Inamdar, Mr. Aditya
Panda and Mr. Srinjoy Roy C.,
Advocates for R-3

Mr. Santosh Paul, Sr. Advocate
with Mr. Vedant Mishra and Ms.
Aditi Raj, Advocates for
Intervenor in CM APPL.
48219/2026

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

JUDGMENT

DR. SWARANA KANTA SHARMA, J.



1. The present writ petition has been filed under Article 226 of the Constitution of India, seeking following reliefs:

“a. Direct the Respondent Nos. 1-2 to forthwith grant approval under Clause 2(16) of the Perpetual Lease Deed dated 27th June 1956 to the amendment to Rule 47(a) of the Memorandum and Rules and Regulations of The National Sports Club of India, as unanimously approved at the Extra Ordinary General Meeting of Members held on 17th April 2026, pursuant to the request of Respondent No. 1 dated 11th May 2026 bearing Ref. No. NSCI/HSG/LG/V/2026/452;

b. In the alternative to prayer (a) above, direct the Respondent Nos. 1-2 to expeditiously consider and decide the request of Respondent No. 3 dated 11.05.2026 seeking approval under Clause 2(16) of the Perpetual Lease Deed dated 27.06.1956, by a reasoned order and within such time as this Hon’ble Court may deem fit, and in any event prior to 02.08.2026;

c. Restrain the Respondent No. 3, its President, Hon. Secretary General, Executive Committee members, election officers, agents, employees and/or any other person acting for or on its behalf, from conducting or in any manner proceeding with the elections to the Central Council of the Club pursuant to the Notice of Ordinary General Meeting and Election Schedule and Instructions dated 6th June 2026, on the basis of the unamended Rule 47(a), i.e., on a joint/mixed/combined voting basis under which members of one region are permitted to vote for candidates of the other region, until the decision of Respondent Nos. 2 and 3 on the request dated 11.05.2026;

d. Direct the Respondent No. 3 to conduct the elections to the Central Council of the Club only in accordance with the amended Rule 47(a) upon grant of approval by Respondent Nos. 1 and/or 2, i.e., on a region-wise/separate basis with Delhi Members voting only for Delhi Candidates and Mumbai Members voting only for Mumbai Candidates...”

2. The respondent no. 1 is Lieutenant Governor of Delhi [hereafter ‘**Lt. Governor, Delhi**’], respondent no. 2 is Union of India through Land & Development Officer [hereafter ‘**L&DO**’] and respondent no. 3 is National Sports Club of India [hereafter ‘**NSCI**’].



The petitioners before this Court are members of NSCI registered in the Mumbai Region.

FACTUAL BACKGROUND

3. The brief facts, as set out in the petition, are that NSCI is a society registered under the Societies Registration Act, XXI of 1860, bearing Registration No. S/676 of 1949, at New Delhi. The functioning of NSCI is governed by its Memorandum of Association and the Rules and Regulations of NSCI, which govern its constitution, composition, electoral process, and procedure for amendment of the Rules. NSCI functions through two autonomous regions, one at New Delhi and the other at Mumbai. Under a Perpetual Lease Deed dated 27.06.1956, executed by the President of India, NSCI was granted prime land at Mathura Road, New Delhi, while the Mumbai Region of NSCI is situated on a sea-facing plot at Lala Lajpat Rai Marg, Worli, Mumbai.

4. It is stated that W.P.(C) 6243/2023 was filed before this Court challenging the election procedure under the Rules, particularly the practice whereby a member of one region, though ineligible to contest elections in the other region, was nevertheless permitted to vote for candidates of the other region. During the pendency of the said writ petition, a settlement was arrived at between the said member and NSCI through a Memorandum of Understanding, whereby NSCI agreed to resolve the issues raised in the petition, pursuant to which the writ petition came to be disposed of. It is stated



that despite the execution of the Memorandum of Understanding, no steps were taken by the governing body of NSCI in relation to the election process. Consequently, the said member instituted civil proceedings, being CS (SCJ) No. 169/2025, before the learned Patiala House Courts, New Delhi, seeking declaratory and injunctive reliefs in respect of the election process of NSCI, wherein orders dated 04.12.2024 came to be passed.

5. It is further stated that a referendum was conducted on 25.01.2026 across both regions, wherein the members were called upon to vote on whether the Delhi members should exclusively vote for and elect the Central Council members from amongst the Delhi members and, likewise, whether the Mumbai members should exclusively vote for and elect the Central Council members from amongst the Mumbai members in every election of NSCI for the respective regions. It is stated that 78.5% of the members who cast their votes voted in favour of region-wise/separate voting for elections to the Central Council. Thereafter, the Central Council of NSCI met at NSCI Mumbai in a meeting specially convened to consider the said issue. The proposed amendment to Rule 47(a) was placed for consideration and, in accordance with Rule 117(a), was put to vote and carried by the requisite three-fourths majority of the members present, with only one member dissenting. It is further stated that, in the same meeting, it was unanimously resolved to convene an Extraordinary General Meeting (EOGM) of the members of NSCI on 17.04.2026 at NSCI Mumbai to obtain the final approval



of the general membership, as required under Rule 117(b).

6. In accordance with the internal administrative framework prescribed under Rules 36, 37 and 117(b) of the Rules and Regulations of NSCI, a notice was issued convening an Extraordinary General Meeting on 17.04.2026. Pursuant thereto, the EOGM was convened on the said date, presided over by the President of NSCI, and attended by 175 voting members. The proposed amendment was put to vote, whereupon the General Body unanimously adopted and approved the amendment to Rule 47(a), with all the members present voting in favour of the resolution and none voting against it.

7. It is further stated that the Secretary General of NSCI, by letter dated 11.05.2026, sought the approval of the Lt. Governor, Delhi to the amendment to Rule 47(a) under Clause 2(16) of the Perpetual Lease Deed. It is submitted that despite the unanimous decision of the EOGM and the pendency of the said request, certain members of the Executive Committee of NSCI sought to proceed with the elections to the Central Council on the basis of the existing Rule 47(a), which provided for a joint/mixed voting system. It is further stated that, by notice dated 01.06.2026, a meeting of the Executive Committee was convened on 06.06.2026 to discuss and finalise the schedule for the Central Council elections under Rules 49 and 50, along with the draft rules governing the conduct of the elections.

8. Thereafter, a Notice dated 06.06.2026 convening the Ordinary



General Meeting, along with the 'Election Schedule and Instructions', was issued, announcing elections for six seats of the Central Council from the Delhi Region and six seats from the Mumbai Region. The said notice further provided that nomination forms would be issued from 04.07.2026 and were to be submitted by 20.07.2026, scrutiny of nominations would be undertaken on 21.07.2026, the list of valid nominations would be displayed on 22.07.2026, and the last date for withdrawal of nominations would be 24.07.2026. It was further notified that polling would be held simultaneously at the Delhi Club House and the Mumbai Club House on 02.08.2026 through e-voting managed by CDSL, and that the Ordinary General Meeting would be held on 21.08.2026 at New Delhi for announcing the names of the members elected to the Central Council.

9. It is further stated that the Secretary General of NSCI, by notice dated 23.06.2026, informed all the members that the Lt. Governor, Delhi, *vide* U.O. No. 100(3)/LN/2026/131/A-1402 dated 22.06.2026, had forwarded NSCI's letter dated 11.05.2026 to the L&DO, observing that the land in question vested in the Central Government and was under the administrative control of the L&DO, and directing that the matter be examined and appropriate action be taken in accordance with the applicable rules and the conditions of the Perpetual Lease Deed. The said notice further recorded that the matter was under active consideration of the concerned authority. It is stated that, as on the date of filing of the present petition, neither the



Lt. Governor, Delhi nor the L&DO had taken any decision on the request submitted by NSCI. Accordingly, the present petition has been filed seeking directions to the Lt. Governor, Delhi and the L&DO to decide the pending request and to stay the election process in the meantime.

SUBMISSIONS BEFORE THE COURT

10. The learned counsel appearing for the petitioners submits that where an instrument such as the Perpetual Lease Deed vests a power of approval in a public authority without prescribing any outer time limit, a corresponding duty is cast upon the authority to exercise such power within a reasonable time. It is submitted that the continued and unexplained inaction on the part of the Lt. Governor, Delhi and the L&DO in deciding NSCI's request dated 11.05.2026, despite more than two months having elapsed and despite the process leading thereto having remained pending since 2023, is arbitrary. It is further submitted that there is nothing objectionable in the proposed amendment, as it concerns only the internal electoral arrangement of NSCI, leaves the strength and composition of the Central Council, comprising 60 members with 30 members from each region, unaltered, does not affect the user of the demised land or any interest of the lessor, and merely gives effect to the mandate of 78.5% of the members expressed in the referendum as well as the unanimous resolution passed at the EOGM. It is submitted that the amendment has already been carried out in strict compliance with Rule 117 of the



Rules and Regulations of NSCI, and that approval under Clause 2(16) of the Perpetual Lease Deed is the only remaining formality. It is further submitted that the forwarding of the request by the Lt. Governor, Delhi to the L&DO cannot justify an indefinite delay, and that the petitioners have no objection as to which of the two authorities is competent to decide the request, so long as a decision is taken expeditiously. It is lastly submitted that the request ought to be decided at the earliest, and in any event before 02.08.2026, as, if the elections to the Central Council are permitted to proceed on the basis of the unamended Rule 47(a) and the approval is granted thereafter, the entire election process may have to be undertaken afresh in accordance with the amended Rule 47(a), resulting in substantial and avoidable financial expenditure for NSCI, apart from the institutional disruption caused by repeating an election process that has already been considerably delayed.

11. The learned standing counsel appearing for Respondent No. 1/Lt. Governor, Delhi submits that the stand of the Lt. Governor, Delhi has already been communicated to NSCI. It is submitted that the land in question vests in the Central Government and is under the administrative control of the L&DO and, therefore, the request dated 11.05.2026 has rightly been forwarded to the L&DO for consideration. It is further submitted that, in any event, the dispute raised in the present petition substantially concerns the internal election process of NSCI, which is a private society, and that disputes relating to the inter se rights of its members are matters falling within



the realm of private law, for which the appropriate remedy lies before the competent civil court and not in proceedings under Article 226 of the Constitution of India.

12. The learned counsel appearing for Respondent No. 2/L&DO submits that the request dated 11.05.2026 is presently under active consideration of the competent authority. It is submitted that the matter requires examination in the light of the terms and conditions of the Perpetual Lease Deed, the effect of the proposed amendment on the constitution of the lessee body, and the compliance claimed by NSCI with its own Rules and Regulations. It is, therefore, submitted that some further time, estimated at about two weeks, may be granted to enable the competent authority to take an appropriate decision.

13. The learned counsel appearing for Respondent No. 3/NSCI submits that the present situation involves two competing considerations. On the one hand, the elections to the Central Council are due to be held in accordance with the notified election schedule, while, on the other hand, the General Body of NSCI has, by a unanimous resolution passed at the EOGM held on 17.04.2026, approved the amendment to Rule 47(a), pursuant to which approval was sought from the Lt. Governor, Delhi by communication dated 11.05.2026. It is submitted that, after the proposal was forwarded by the Lt. Governor, Delhi to the L&DO in June 2026, NSCI was expecting that a decision would be taken before the scheduled date of elections on 02.08.2026. It is further submitted that, if the request is directed to be decided within a fixed time frame, NSCI would be



willing to defer the election process for a reasonable period pending such decision.

14. An application, being **CM APPL. 48219/2026**, has also been filed on behalf of Ms. Sejal Ketan Kumar Parikh, a member of NSCI, seeking to intervene in the present writ petition. It is her case, as argued by the learned senior counsel, that the outcome of the present writ petition directly affects the democratic functioning of NSCI and the rights of its members, including the applicant. It is submitted that since the election process had commenced as early as June 2026 and no challenge was laid thereto until late July 2026, this Court ought not to interfere with the election process in exercise of its writ jurisdiction at this belated stage. It is further submitted that there is no resolution of the Executive Committee of NSCI resolving to defer the elections, and any statement made by learned counsel appearing for NSCI that this Court may consider deferring the election awaiting decision of L&DO is without any authority. Reliance is also placed upon the decision of this Court in ***Desh Bandhu Khurana v. National Sports Club of India***: 2009 SCC OnLine Del 3216, wherein, in a civil suit concerning the election process of NSCI, applications seeking impleadment filed by certain members of the Club were allowed on the ground that the Club was not diligently pursuing the proceedings.

15. This Court has **heard** the learned counsel appearing for the parties and has carefully perused the material placed on record.



ANALYSIS & FINDINGS

16. The grievance of the petitioners, in essence, is that although the amendment to Rule 47(a) of the Rules and Regulations of NSCI has been approved through the internal process prescribed thereunder and has been forwarded for approval under Clause 2(16) of the Perpetual Lease Deed, no decision has yet been taken by the competent authority. According to the petitioners, in the absence of such decision, the elections to the Central Council are proposed to be conducted on the basis of the existing Rule 47(a), giving rise to the present writ petition seeking, *inter alia*, a direction for expeditious consideration of the pending request and consequential reliefs in relation to the election process.

17. At the outset, insofar as **CM APPL. 48219/2026** is concerned, the applicant is admittedly a member of Respondent No. 3/NSCI and seeks to oppose the grant of any relief that may have the effect of interfering with the ongoing election process. Without expressing any opinion on the contention raised by the applicant that NSCI is not diligently pursuing the present proceedings, this Court is of the view that there is no ground to decline the prayer for intervention at this stage. The application is accordingly allowed. The applicant is permitted to intervene in the present proceedings. The submissions advanced on behalf of the applicant have already been taken note of and considered hereinabove.

18. Insofar as **prayers (a) and (b)** of the writ petition are



concerned, it is the petitioner's case that the request dated 11.05.2026 seeking approval under Clause 2(16) of the Perpetual Lease Deed has remained pending without any decision. It is not in dispute that the said request was initially addressed to the Lt. Governor, Delhi and was thereafter forwarded to the L&DO for consideration, vide letter dated 22.06.2026 issued from the office of Lt. Governor, Delhi. The L&DO has also not disputed that the matter is presently under its consideration.

19. A perusal of the record further shows that, before the request for approval came to be submitted, the proposed amendment to Rule 47(a) had undergone the internal decision-making process prescribed under the Rules and Regulations of NSCI. As placed on record, a referendum was conducted in which 78.5% of the participating members voted in favour of region-wise voting, the proposal was thereafter approved by the Central Council with the requisite three-fourths majority, with only one member dissenting, and was ultimately unanimously approved by the General Body at the EOGM held on 17.04.2026, where all the 175 members present voted in favour of the amendment. Thereafter, the request dated 11.05.2026 seeking approval under Clause 2(16) of the Perpetual Lease Deed came to be submitted. The said request has remained pending for over two months, during which period the election process to the Central Council has also progressed.

20. It is in the aforesaid background that this Court enquired from the learned counsel appearing for the Lt. Governor, Delhi and the



L&DO as to the time likely to be required for taking a decision on the pending request. Upon instructions, it has been submitted that the matter is under active consideration and that a period of about *two weeks* would be sufficient for the competent authority in the L&DO to take a decision thereon. The said statement is taken on record and the Respondent No. 2 shall remain bound by the same.

21. Insofar as **prayers (c) and (d)** of the writ petition are concerned, the petitioners seek to restrain NSCI from proceeding with the elections to the Central Council scheduled to be held on 02.08.2026 on the basis of the existing Rule 47(a), and further seek a direction that the elections be conducted only in accordance with the proposed amended Rule 47(a), subject to the grant of approval by the competent authority.

22. The Respondent No. 1 and 2, and the Intervenor, have opposed the aforesaid reliefs, on two main grounds:

(i) It is firstly contended that the election schedule was notified by the Notice dated 06.06.2026 and the election process has substantially progressed thereafter. It is submitted that nominations have been invited, scrutinised and finalised, and all consequential steps in the election process have already been undertaken. The only remaining stage is that of polling, which is scheduled to be held on 02.08.2026. It is, therefore, submitted that this Court ought not to interfere with the election process at such an advanced stage.

(ii) The second objection pertains to the maintainability of the



present writ petition against NSCI. It is contended that NSCI is a society registered under the Societies Registration Act, XXI of 1860 and is essentially a private body. According to the respondents, disputes relating to the conduct of elections and the *inter se* rights of the members of such a society are not amenable to the writ jurisdiction of this Court under Article 226 of the Constitution of India. It is accordingly submitted that the petitioners can avail of such civil remedies as may be available to them in accordance with law, but no directions to NSCI can be issued in writ jurisdiction.

23. Insofar as the **first objection** is concerned, this Court finds merit in the same. This Court notes that although the proposed amendment to Rule 47(a) was unanimously approved at the EOGM held on 17.04.2026, the request seeking approval under Clause 2(16) of the Perpetual Lease Deed was forwarded by NSCI to the Lt. Governor, Delhi only on 11.05.2026. Thereafter, while the request remained pending, the election schedule came to be notified on 06.06.2026. Thus, when the election process was set in motion, it was well within the knowledge of NSCI as well as its members that the approval of the competent authority had not yet been obtained.

24. The record further shows that, by notice dated 23.06.2026, the Secretary General of NSCI had informed all the members that the Lt. Governor, Delhi had forwarded the proposal to the L&DO for appropriate action and that the matter was under active consideration. The said notice also recorded that the members would be kept duly informed of any decision taken by the L&DO.



25. Thereafter, by a further notice dated 16.07.2026, which has been placed on record, the Secretary General of NSCI had informed its members that, since no approval had been received till 15.07.2026, the forthcoming elections would proceed on the basis of the existing Rule 47(a). *Pertinently*, as on date, all stages of the election process, including nomination, scrutiny and withdrawal, have already been completed, and only the polling, scheduled for 02.08.2026, remains.

26. It is well settled that once the election process has commenced, the Courts ordinarily refrain from interfering with the same. The rationale is that the election process should be allowed to reach its logical conclusion and that challenges relating to the election are ordinarily to be pursued after the elections are over before the appropriate forum. This principle has been applied not only to statutory elections but also to elections of societies and similar bodies. In ***Nathu Ram Jain v. Akhil Bhartiya Agrawal Sammelan Through National General Secretary Gopal Goyal & Ors.***: 2026:DHC:3467, after noticing the decisions of the Hon'ble Supreme Court, the Coordinate Bench of this Court reiterated that once the election process has commenced, the Courts should ordinarily decline to pass orders which would stall or interdict the elections. The relevant observations are as under:

“35. There is another crucial facet of the controversy. Undisputedly, the election machinery was set into motion with the issuance of the formal notification and programme of election on 16.03.2026. The law is well settled that once the



election process has commenced, courts should exercise strict judicial restraint and normally decline to pass any orders that would stall or interdict the election. This principle applies with equal force to the elections of governing bodies of societies registered under the Societies Registration Act. Reference may usefully be made to a recent decision of the Hon'ble Supreme Court in **Mandeep Singh and Anr. vs. Collector and Ors.** dated 06.11.2024 [SLP No. 26170/2024], wherein the Hon'ble Court while dealing the challenge to the elections of a Society registered under M.P. Society Registration Act, 1973, made following pertinent observations:

*“The law is settled in such cases in view of judgments of this Court in “N.P. Ponnuswami Vs. Returning Officer, Namakkal Constituency And Others” reported in (1952) S.C.R. 218 and Mohinder Singh Gill & Anr. Vs. The Chief Election Commissioner, New Delhi & Ors. reported in (1978)1 SCC 405, which is that **when the election process has begun, no order should normally be passed by the courts interfering with the election. The logic being that, if in such election matters, an interference is made by the Courts, then in all likelihood, no election can take place ever. The remedy, which is always available to the other side, is by way of an Election Petition or a Civil Suit, whatever the case may be, after the elections are over.***

*In the present case also, we are of the opinion that both the writ petition and the writ appeal have been disposed of in accordance with law, **as the logic of the court being that, once the elections have been notified, the Courts should not interfere with the matter. In these circumstances, we see absolutely no reasons to interfere in the matter.***

(emphasis supplied)...”

27. A similar view was taken by the Division Bench of this Court in **Yachting Association of India v. Boardsailing Association of India: LPA 523/2013**, wherein it was held that once the election process has commenced, it ought to be completed in accordance with the notified schedule and any challenge thereto should ordinarily await the conclusion of the elections. The relevant observations are as



under:

“21. The law in regard to interference by Courts with an election process is now well settled. Once an election process has commenced it must be concluded expeditiously as per its schedule and any legal challenge to the election must await the conclusion of the election. The courts would normally pass orders only to assist completion of the elections and not to interdict the same...

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23. The principles of law relating to election of candidates under the Representation of People Act, 1951 have been extended to elections in general also. In the case of **Shri Sant Sadguru** (*supra*), the Supreme Court while considering a case of elections to the Managing Committee of a society registered under the Maharashtra Cooperative Societies Act, 1960 reiterated the settled law as under:-

“12. In view of our finding that preparation of the electoral roll being an intermediate stage in the process of election of the Managing Committee of a specified society and the election process having been set in motion, it is well settled that the High Court should not stay the continuation of the election process even though there may be some alleged illegality or breach of rules while preparing the electoral roll. It is not disputed that the election in question has already been held and the result thereof has been stayed by an order of this Court, and once the result of the election is declared, it would be open to the appellants to challenge the election of the returned candidate, if aggrieved, by means of an election petition before the Election Tribunal.”

24. In light of the aforesaid judgments, we are inclined to accept the contention urged on behalf of the appellant that the election process having commenced, the same ought not to have been interdicted and any challenge to the election could be pursued only after the elections are over. We further do not find that any irreparable loss or prejudice would be caused to respondents Nos. 1 to 12, if the election process as commenced is concluded. Accordingly, the directions contained in the impugned order restraining the opening of the ballot boxes and counting of the votes are set aside. The appellant would be at liberty to complete the election process and declare the results.”



28. In the facts of the present case, this Court is of the view that the election process has reached an advanced stage and only polling remains to be held. In view of the settled position of law and having regard to the stage at which the present petition has been instituted, this Court is not inclined to interdict the election process.

29. The **second objection** raised by the respondents pertains to the maintainability of the present writ petition insofar as it seeks directions against Respondent No. 3/NSCI in relation to its election process. Concededly, the disputes relating to the elections and affairs of NSCI have, on earlier occasions, been the subject matter of civil proceedings. CS(OS) No. 1243/2006 was instituted before this Court, *inter alia*, in relation to elections to the Central Council of NSCI. By order dated 25.04.2007, this Court had appointed Justice (Retd.) S.K. Agrawal to oversee the smooth conduct of the elections and to resolve issues arising therefrom. Likewise, CS(OS) No. 2368/2007 and CS(OS) No. 1195/2008 were also instituted before this Court in relation to the affairs and elections of NSCI. It has also been brought to the notice of this Court that proceedings concerning the elections of NSCI have been instituted before the District Courts as well.

30. This Court also notes that a writ petition, i.e. W.P.(C) 6243/2023, was filed challenging certain provisions governing the election process of NSCI. However, a perusal of the order dated 28.03.2024 passed in CM APPL. 16147/2024 in the said writ petition reveals that NSCI had, in the said proceedings, itself raised a



preliminary objection to the maintainability of the writ petition on the ground that it is a private entity, i.e. a society registered under the Societies Registration Act, is not 'State' within the meaning of Article 12 of the Constitution, and does not perform any public function so as to attract the writ jurisdiction of this Court. The petitioner therein, on the other hand, had contended that NSCI occupies Government land under the Perpetual Lease Deed, functions under the supervisory control envisaged therein, and performs public functions. Eventually, the said issue was not adjudicated upon, as the writ petition came to be disposed of on the basis of the settlement arrived at between the parties.

31. In the facts of the present case, this Court does not consider it necessary to return any finding on the aspect whether a writ petition is maintainable against NSCI. As already held, this Court is not inclined to interdict the election process, particularly when it has reached an advanced stage and only the polling remains to be held. The question whether NSCI is amenable to the writ jurisdiction of this Court in matters concerning its internal administration and elections is, therefore, left open to be decided in an appropriate case.

32. In the preceding discussion, this Court has already observed that the request dated 11.05.2026, seeking approval under Clause 2(16) of the Perpetual Lease Deed, which is pending consideration before the L&DO, shall be decided within a period of two weeks from date.



33. Having regard to the aforesaid circumstances, while this Court is not inclined to interdict the election process, it shall be open to NSCI to take an appropriate decision, in accordance with its Memorandum of Association, Rules and Regulations and Bye-laws, as to whether it deems it appropriate to defer the elections awaiting the decision of the L&DO. It shall also be open to NSCI to consider, in the event polling is held before the decision of the L&DO but the decision is received prior to declaration of the results, whether any course permissible under its governing framework is available to give effect to the amendment in question. It is clarified that this Court has not expressed any opinion on the aforesaid aspects, and the decision shall rest entirely with NSCI in accordance with its rules, regulations and bye-laws.

34. The petitioners herein shall also be at liberty to avail of such remedies as may be available to them in law.

35. The present petition is disposed of in above terms, along with pending applications, if any.

36. The judgment be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

**JULY 31, 2026/
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