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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 688/2017 & CM No.23830/2017 (for stay)**
BHARAT KRISHAK SAMAJ Petitioner
Through: Ms. Priya Kumar & Ms. Tanya
Tiwari, Advs.
Versus
ALEMBIC LTD Respondent
Through: Ms. Gurkamal Hora Arora, Adv.
CORAM:
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW
ORDER
% **11.07.2017**

CM No.23831/2017 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

CM(M) 688/2017 & CM No.23830/2017 (for stay)

3. This petition under Article 227 of the Constitution of India impugns the order dated 16th May, 2017 of the Civil Judge directing the petitioner / defendant i) to file a copy of the Rules and Regulations of the petitioner / defendant Society with advance copy to the opposite party; and, ii) to file relevant documents pertaining to interrogatories 'E' and 'F'.
4. The counsel for the respondent / plaintiff appears on advance notice and informs that the order dated 16th May, 2017 erroneously directed the petitioner / defendant to file relevant documents pertaining to interrogatories 'E' and 'F'; that the said order has since been corrected vide order dated 10th July, 2017 and the petitioner / defendant has been directed to file reply to interrogatories marked 'C' and 'E'.

5. The counsel for the petitioner / defendant has argued at length.
6. However considering that the petitioner / defendant is a Society registered under the Societies Registration Act, 1860 and the copies of the Rules and Regulations of the petitioner / defendant are expected to be with the Office of the Registrar of Societies and are open to inspection by any member of the public, without entering into the controversy, it is not deemed appropriate to interfere with the direction given to the petitioner / defendant to file copy of the Rules and Regulations of the petitioner / defendant Society in exercise of jurisdiction under Article 227 of the Constitution of India.
7. Similarly, the information which the petitioner has been directed to furnish pertaining to interrogatories ‘C’ and ‘E’ is as under:

“C. Who is the person appointed under the Rules and Regulations of Bharat Krishak Samaj for the purpose to sue or to be sued on behalf of Bharat Krishak Samaj?

E. who is the President, Chairman, Principal Secretary and Trustees of Bharat Krishak Samaj?”
8. The said information also is required to be in public domain and thus no interference with the said part of the order also is required.
9. The counsel for the petitioner / defendant has vehemently contended that the respondent / plaintiff has been dragging its feet in the suit filed by it under Section 6 of the Specific Relief Act, 1860 and is abusing the proceeding in the suit to gather information to file some other proceeding against the petitioner / defendant.

10. If the respondent / plaintiff files any misconceived proceeding, it will be open to the petitioner / defendant to apply for summary rejection / dismissal thereof.

11. The counsel for the petitioner / defendant finally agrees to file all the aforesaid documents / information within four weeks of today.

12. In this view of the matter, it is not necessary to deal with the other contentions raised. Binding the petitioner / defendant to the statement, this petition is disposed of.

RAJIV SAHAI ENDLAW, J

JULY 11, 2017

‘gsr’..