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

+ C.R.P. 169/2018 & CM APPL. 32717-32720/2018

RAISINA BENGALI SCHOOL SOCIETY Petitioner

Through Mr. Kirti Uppal, Sr. Adv. with Mr.
Mayank Sapra, Mr. Aditya Awasthy,
Advts.

versus

RAJDEV YADAV & ORS Respondent

Through Ms. Garima Sharma, Adv. for
Respondent No. 1 and Respondent
No. 2.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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14.08.2018

Respondents no. 4 to 40 are not represented.

Apparently however on a perusal of record the main contesting parties are the petitioner and the respondents no. 1 & 2.

The petitioner assails the impugned order dated 08.08.2018 of the learned District & Sessions Judge, Patiala House Court, New Delhi in TP (C) no. 23/18 whereby notice of the said application was directed to the respondents alongwith the respondents no. 1 & 2 to this petition, arrayed also as the respondents no. 1 & 2 to the present petition, which notice was issued for the date 20.09.2018.

During the course of the submissions that have been made on behalf of the petitioner, the petitioner submits that he is being prejudiced by proceedings before the Court of ADJ concerned where the proceedings in relation to the civil suit are pending i.e. Suit No. 104/18, before the ADJ-03,

Patiala House Courts, New Delhi. The copies of orders dated 01.08.2018 and 02.08.2018 have however been submitted during the course of the present submissions on behalf of the petitioner and are taken on the record.

On a consideration of the rival submissions apparently to meet the ends of justice, it would suffice that the proceedings of the TP (C) no. 23/18 are taken up expeditiously in as much as vide order dated 13.07.2018 of the Hon'ble Supreme Court in the petition for Special Leave to Appeal No. 7719/2018 whilst declining to interfere with order dated 26.02.2018 of this Court in FAO No. 81/2018, the Trial Court has been requested to decide the suit within 8 months with the direction to the Trial Court to ensure that necessary documents were produced and in the event of any irregularity committed by the Management, it would be open to the petitioner i.e. the respondents no. 1 & 2 to the present petition to attract the attention of the Trial Court in this regard.

There is no opposition on behalf of the respondent nos. 1 & 2 to the proceedings in TP (C) no. 23/18 being expedited.

In view thereof, the present C.R.P. 169/2018 is disposed of with directions to the Trial Court i.e the learned District & Sessions Judge, Patiala House Court, New Delhi to take up the proceedings in relation to the TP (C) no. 23/18 expeditiously and to renotify the same for the date 16.08.2018 so that the notice of the said TP (C) no. 23/18 may be issued to other respondents to whom notice was ordered vide order dated 08.08.2018 for the date directed as being 20.09.2018 with a request to the learned District & Sessions Judge, Patiala House Court, New Delhi to endeavour to dispose of the transfer petition TP (C) no. 23/18 by the date 31.08.2018.

Copy of this order be sent to the learned District & Sessions Judge,

Patiala House Court, New Delhi.

ANU MALHOTRA, J

AUGUST 14, 2018/MK