

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2020

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI  
AND  
THE HON'BLE MR.JUSTICE M.S.RAMESH

O.S.A.Nos.217, 218 of 2020

1.Naresh Sharma  
2.Dr.Vipnesh Bharadwaj ... Appellants

vs.

1.P.R.Venketrama Raja  
2.D.V.Sundar  
3.Vijay Deshpande  
4.Kishore Bandekar  
5.Ravindra Dongre  
6.Neeraj Kumar Mishra  
7.Bhavesh Patel  
8.Bhagyashree Thipsay  
9.Bharat Singh Chauhan  
10.All India Chess Federation,  
rep. by its President,  
Head of the Three Member Committee  
having office at  
Room No.70, Jawaharlal Nehru Stadium,  
Periyapet, Chennai 3 ... Respondents

Appeals filed under against the order dated 28.08.2020  
in O.A.Nos.310 and 312 of 2020 in C.S.No.185 of 2020 on the  
file of this Court.

For Appellants : Ms.Neela Ghokle

For Respondents: Mr.P.S.Raman, Senior Counsel,  
for Mr.Sivanandaraaj

JUDGMENT

(Delivered by DR.VINEET KOTHARI, J.)

The Appellants Mr.Naresh Sharma and Dr.Vipnesh Bharadwaj, who are defendants 1 and 2 in the Civil Suit in C.S.No.185 of 2020, have filed the present appeals against the order dated 28.08.2020, passed by the learned Trial Judge (Learned Single Judge) in O.A.Nos.310 and 312 of 2020, in the said civil suit.

2. The plaintiffs in the suit, Mr.P.R.Venkatarama Raja and four other plaintiffs, have filed the suit, seeking injunction against the defendants and for setting aside the minutes of the alleged meeting held on 22.04.2020, in which certain alleged affiliations and disaffiliations of the State Units of All India Chess Federation ('AICF', for short) was allegedly done.

3. The learned Single Judge, by the impugned order dated 28.08.2020, has only passed an ad interim order, to the effect that the ad interim injunction as prayed for by the plaintiffs in the suit shall be maintained until further orders, as the learned Judge found that prima facie, a case of violation of bye laws for holding the meeting on 22.04.2020, was made out by the plaintiffs. However, we were informed by the learned Counsel that the said injunction application is coming up for final disposal before the learned Single Judge now, only three days hence, viz., 08.10.2020.

4. The learned Counsel for the Appellant Ms.Neela Gokhale, submitted that the Appellants before this Court are two of the Five Member Committee, who were appointed by the All India Chess Federation to oversee the working of the State Units and also to administer the affairs of the State Units. She has submitted that the ad interim order granted by the learned Single Judge is erroneous and under the garb of the said ad interim order, the Respondents are operating the bank accounts and they should not be allowed to do so till the injunction application is finally decided by the learned Single Judge.

5. Per contra, the said request is vehemently opposed by Mr.P.S.Raman, the learned Senior Counsel, appearing for the defendants, and other learned counsel appearing for the Respondents.

6. We have heard the learned Counsel. We are of the opinion that the present appeal can be disposed of and the ends of justice would be met if the parties are allowed to raise their respective submissions before the learned Single Judge herself and since the said application is scheduled to be taken up for final disposal by the learned Trial Judge (learned Single Judge of this Court), only three days thereafter, i.e. 8 October 2020, we are not inclined to interfere with the impugned order in any manner, nor we are inclined to pass any further orders than the one passed by the learned Single Judge. We, however, make a request to the learned Single Judge to decide the injunction application as expeditiously as possible, after giving opportunity of hearing to the concerned parties, and decide the same finally, preferably on 8 October 2020 itself or as soon as possible thereafter.

7. With these observations, the appeals are disposed of. There is no order as to costs. Consequently, CMP Nos.10958 and 10968 of 2020 are closed.

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Sd/-  
Assistant Registrar(CS-I)

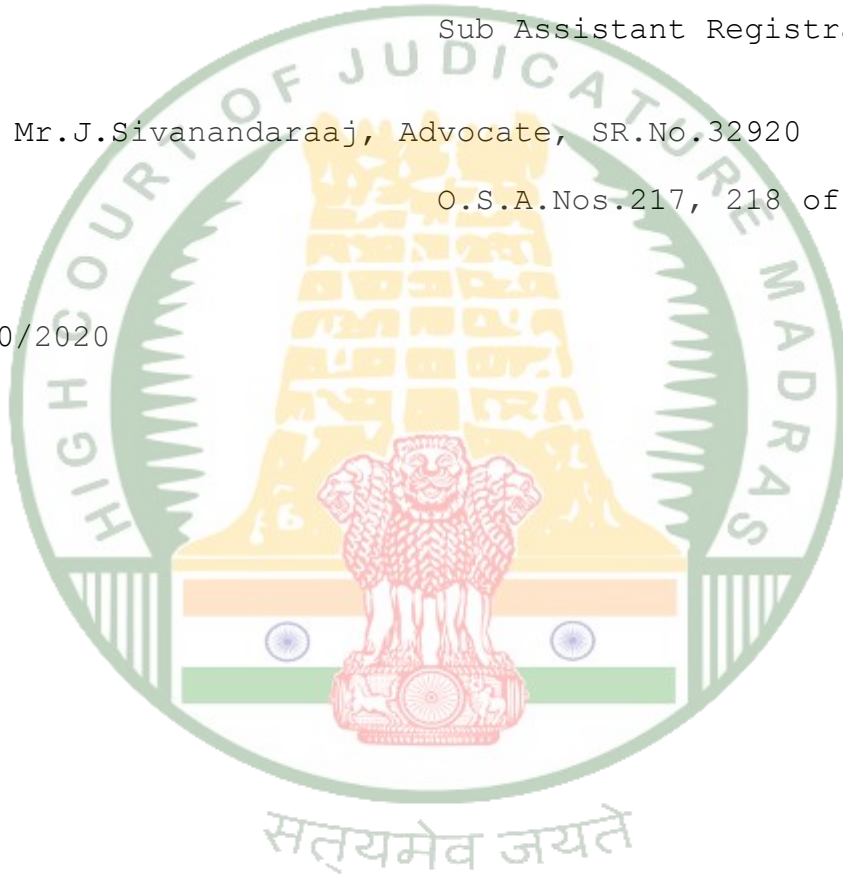
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Sub Assistant Registrar

+1cc to Mr.J.Sivanandaraaj, Advocate, SR.No.32920

O.S.A.Nos.217, 218 of 2020

MP (CO)  
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