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

+ **FAO(OS) 73/2024 & C.M.No.30193/2024**

SATYA PRAKASH RAVIDAS Appellant

Through: Appellant in person (Through VC).
versus

RAJ VIDYA KENDER RVK & ORS. Respondents

Through: Mr.Anil Dutt, Advocate.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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20.05.2024

1. Present appeal has been filed by the appellant challenging the order dated 6th May, 2024 passed by the learned Single Judge of this Court in CS(OS) 470/2019, whereby the application being IA No.10058/2024 filed by the appellant was dismissed. By the said application, the appellant has formulated the following four questions to be answered by the Acting Chief Justice of this Court.

(i) Whether or not the validity of the representative of plaintiff no.1 (society) or the advocates for plaintiffs (who are pleading without passing resolution by the properly elected general governing body of society confirmed by the response of the concerned Registrar of society)) can be questioned before this Hon'ble Court of law?

(ii) The absence of a dear answer regarding the validity of the representative of plaintiff No. 1 (society) and the advocates for plaintiffs creates a dilemma for this Han 'ble Court. It is important to provide a clear reason along with the decision the order dated 05.3.2024, stating all the consequences that led to that decision.

(iii) The plaintiff no.1 's representative, Dr. Suresh Chand Gupta, has filed this present suit in his personal capacity with the oblique motive of money lynching and has hired his advocates, including Dr. Karnika Seth, on behalf of a society named RVK. This action is contrary to the



standard provisions of a democratic society.

(iv) Plaintiff no.2 is merely a senior volunteer in plaintiff no.1 according to plaint filed by plaintiffs. But the plaintiff no.2 is a Nepali citizen running Nine Pvt. Ltd. companies having control over plaintiff No. 1 according to the para 15 of order dated 11.09.2019 of this Hon'ble court.

2. Learned counsel for the appellant states that the learned Single Judge has passed the orders dated 5th March, 2024 and 6th May, 2024 without giving any reasons and without comprehending the underlying cause of action. He further states that the learned Single Judge has erred in imposing costs of Rs.50,000/- and Rs.25,000/- on the appellant and the said costs have been imposed without assigning any reasons.
3. Having heard learned counsel for the appellant, this Court is in agreement with the reasoning of the learned Single Judge that the application being IA No.10058/2024 raises questions of fact and not law. Consequently, the learned Single Judge rightly refused to refer the questions framed by the appellant to the Division Bench.
4. This Court also finds that intemperate, baseless and defamatory allegation has been made in IA No.10058/2024 by the appellant against a lady advocate appearing for the respondent-plaintiff. Consequently, this Court expunges paras 6(ii) and 6(xii) of IA No.10058/2024.
5. Accordingly, the present appeal being bereft of merit is dismissed alongwith the application.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 20, 2024/KA