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

+ **CM(M) 1348/2018**

PATRONAGE WELFARE & EDUCATIONAL SOCIETY (REGD)

..... Petitioner

Through: Mr. Manan Kumar Mishra, Mr. Anjul,
Ms. Anjani Mishra & Mr. Aditya
Deo, Advs.

versus

RAKESH VARMA & ORS

..... Respondents

Through: Mr. Shankar Vaidialingam, Mr.
Shivain Vaidialingam & Mr. R.K.
Sahani, Advs.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

09.04.2024

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1. The present petition under Article 227 of the Constitution of India has been filed seeking directions to the learned Senior Civil Judge, Karkardooma Courts, Delhi (hereinafter referred to as 'Trial Court'), to expedite the hearing in Civil Suit No.111/2010 titled as "*Patronage Welfare & Educational Society (Regd) vs. Dr. Rakesh Varma & Ors.*".

2. Learned counsel for the petitioner inter-alia has prayed as follows:

"i. expedite the hearing in Civil Suit No. 111 of 2010 pending before learned Additional Senior Civil Judge, Karkardooma Courts, Delhi; and/or

ii. direct the Court of learned Additional Senior Civil Judge, Karkardooma Courts, Delhi to decide the Civil Suit No. 111 of



2010 (now CS No. 8927 of 2016) on urgent basis preferably on day to day basis; and/or

iii. Issue an appropriate direction restraining the Respondents from any way interfering with the management control and affairs of Petitioner-Society till the disposal of C.S. No.111 of 2010.”

3. Learned counsel for the petitioner submits that he is not pressing at the prayer (iii) but is only restricted the present petition with respect to prayers (i) and (ii).

4. It is submitted that the abovesaid civil suit was filed in the year 2010 and since then, the same is pending trial, therefore, the directions be issued to the learned Trial Court to expeditiously try the suit preferably on day-to-day basis.

5. Learned counsel for the respondents submits that the delay is being caused due to the conduct of the petitioner herein as at the belated stage, he filed an application seeking amendment of the plaint, thereby causing delay to the proceedings.

6. In view of above submissions made hereinabove, as learned counsel for the petitioner does not press prayer (iii) and is only pressing prayers (i) & (ii), learned Trial Court to expeditiously dispose of the Civil Suit No.111/2010 titled as “*Patronage Welfare & Educational Society (Regd) vs. Dr. Rakesh Varma & Ors.*” pending before it.

7. With above directions, petition stands disposed of.

SHALINDER KAUR, J.

APRIL 09, 2024

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