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

+ **CS(OS) 566/2017, I.A. 11859/2017, I.A. 445/2020**

SAMAAIRA INTERNATIONAL Plaintiff

Through: Mr. Abhishek Rawat, Advocate

versus

INDIA- CIS CHAMBER OF COMMERCE & INDUSTRY & ORS

..... Defendants

Through: Ms. Puja Jain, Adv.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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21.03.2024

1. The present Suit for Declaration and Mandatory Injunction has been filed with the following prayers:

“a) Declaring that the consent given by the Defendant Shri B.R. Saini (Defendant No.20) acting as President of Defendant No.1 Society (i) Mrs. Jyotsna-Choudhri (Defendant No.10); (ii) Shri R.K. Jain (Defendant No.17); (iii) Shri Rajan Madhu (Defendant No.9); (iv) Shri V. Kumar (Defendant No.11); (v) Maj. Gen. J. Khanna (Defendant No.18); (vi) Mr. Anil Mathur (Defendant No.19); (vii) Shri Satish Chandra/Mr. Sandeep Chandra (Defendant No.6); and (viii) V.C. Jain (Defendant No.8) to the Hon'ble High Court on 27.05.2016 in doing away with compliance of Clause 8(f) of the registered Rules and Regulations of the Society was without any authority of law and has no legal bearing upon the plaintiff or its rights and further it be declared that the elections to the Governing Body of the Society conducted by Defendant No.21 on the basis of the aforesaid consent and without following



the directions as contained in the order dated 27.05.2016 as passed by this Hon'ble Court be declared as null and void.

b) Restrain Defendants No.2 to 17 by way of permanent injunction from running the day to day affairs of the Defendant No. 1 Society and also from operating the bank account of the Defendant Society with Maharashtra Bank and with UCO Bank, Delhi High Court

c) Direct the Defendant No.1 Society by virtue of a Mandatory Injunction to conduct free and fair elections in terms of registered Rules and Regulations of the Society and to constitute a fresh Governing Body to run the day to day affairs of the society;"

2. It is evident from the Prayer that they were in respect of the Elections to be conducted in 2016 which has since been conducted and the term of the Management so elected, has also expired in 2019.

3. Nothing survives in the present Suit and is hereby disposed of as infructuous.

NEENA BANSAL KRISHNA, J

MARCH 21, 2024/PT