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

+ **W.P.(C) 6396/2025 and CM APPL.29200/2025**

NIJI SAPRA

.....Petitioner

Through: Mr. Ajay Veer Singh, Mr. Shubham Singh, Mr. Uday Ram Bokadia, Ms. Mahima Shebhar, Advs.

versus

UNION OF INDIA AND ANR.

.....Respondents

Through: Mr. Raunak Dhillon, Ms. Isha Malik, Mr. Jeezan Riyaz Pakhliwal, Advs. Mr. Prateek Kumar, Ms. Raveena Rai, Ms. Moha Paranjpe, Mr. Siddhant Grover, Advs. for Defendant No.1 Ms. Shiva Lakshmi (CGSC) along with Mr. Hussain Taqvi (GP) and Mr. Vishnu Prabhakar Pathak, Mr. Chaman Prakash, Mr. Deepak Gupta, Mr. Harshvardhan Pathak, Advs.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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19.05.2025

1. The present petition has been filed by the petitioner seeking the following prayers:

“A. Issue a Writ or order in nature of Mandamus to direct to Respondent No. 1 to enforce its order dated 20.09.2022 holding Mr. Rajiv Hora’s, Secretary appointment, void ab initio and direct the Respondent No. 1 to enforce order dated 20.09.2022 for fresh selection of Secretary, in terms of NCLAT and NCLT orders.

B. Issue a Writ or order in nature of Mandamus to Direct the Respondent No. 1 to file action taken report on complaints by members, staff from 2023 till date and further direct the Respondent No. 1 to file details of action taken by Regional Director (North) vide order dated 20.06.2024.



C . Issue a Writ or order in nature of Mandamus to direct Respondent No. 1 to enforce the NCLT order dated 15.03.2022.

D. Issue a Writ or Order in nature of Quo Warranto to declare the petitioner's Termination Notice dated 01.05.2019 void ab initio.

E. Pass any other further order (s)/ Direction (s) as this Hon' ble Court may deem fit and proper under the facts and circumstances of the case."

2. It is the contention of the petitioner that her membership in the Delhi Gymkhana Club (DGC) has been illegally terminated *vide* communication dated 01.05.2019 issued by the then President of the DGC. It is also alleged that the petitioner is a whistle-blower and had complained regarding certain malpractices and financial irregularities in DGC; the same is stated to be the alleged cause of her membership in DGC being terminated.

3. Copious averments have been made in the petition as regards the proceedings before the NCLT / NCLAT which were initiated by the Ministry of Corporate Affairs (respondent no.1) with regard to the affairs of the DGC.

4. In these proceedings, this Court is not concerned with the said proceedings which have been the subject matter of the proceedings before the NCLT/NCLAT and/or directions issued by the Ministry of Corporate Affairs. Any grievance/issue emanating from the aforesaid proceedings, are required to be agitated in the concerned forum seized of these disputes.

5. Furthermore, the relief sought for regarding the alleged illegal termination of the petitioner's membership in DGC *vide* impugned communication dated 01.05.2019 is also hopelessly barred on account of delay and laches.

6. The parity sought to be claimed by the petitioner with the petitioner in W.P.(C) 2095/2025 is misplaced. In the said case [W.P.(C) 2095/2025], the



termination of membership was pursuant to a communication dated 08.03.2022. Moreover, the grievances of the petitioner in W.P.(C) 2095/2025 are in a different canvass altogether *vis-a-vis* grievances of the petitioner in the present case.

7. It is also noticed from Annexure-P10, as appended to the present petition, that the petitioner has already instituted a civil suit being CS(OS) No. 447/2019 against the DGC wherein it is the defendant no.1. However, there has been a conspicuous omission on the part of the petitioner to disclose the prayer/s therein in the present petition. A copy of the said civil suit has been appended as Document no.1 to the list of documents filed on behalf of the respondent no.2 on 17.05.2025 [diary no. 3508368]. A perusal of the prayers made by the petitioner in the said civil suit shows that the petitioner has, *inter alia*, sought specific prayer/s *qua* the aforesaid communication dated 01.05.2019 whereby her membership in the DGC has been terminated. The prayer in the said civil suit bearing CS(OS) 447/2019 reads as under-

- a. *For a declaration that order of suspension, Show-Cause Notice dated 06.10.2018 and Termination Notice dated 01.05.2019 is illegal, null and void and not binding on the Plaintiff;*
- b. *Mandatory injunction to the Defendant to reinstate the Plaintiff as a permanent member of the DGC with full rights and privileges;*
- c. *Permanent injunction restraining the Defendant from taking any steps in furtherance of Termination Notice dated 01.05.2019, Show-Cause Notice dated 06.10.2018 and Suspension Order Pending Inquiry dated 03.10.2018;*
- d. *Pass any other reliefs and/ or order(s) granting such other incidental or ancillary relief;*
- e. *Pass an order awarding cost of present proceedings in favour of the Plaintiffs;”*

8. Given that the petitioner has sought relief *qua* Termination Notice dated 01.05.2019 in the said suit, it is impermissible for the petitioner to



agitate the same by way of these proceedings. This Court is constrained to record its dismay at the conduct of the petitioner in not making adequate disclosure/s in the writ petition.

9. In the circumstances, this Court is not inclined to entertain the present petition; the same is accordingly dismissed. Pending application also stands disposed of.

SACHIN DATTA, J

MAY 19, 2025/at