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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ RFA 579/2025, CM APPL. 38542/2025, CM APPL. 38543/2025  
CM APPL. 38544/2025

HABIB EDUCATIONAL AND WELFARE SOCIETY .....Appellant  
Through: Mr. Bijendra Singh, Advocate.

versus

UNION OF INDIA .....Respondent  
Through: Ms. Radhika Bishwajit Dubey, CGSC  
with Ms. Lavanya Kaushik, Ms.  
Gurleen Kaur Waraich, Mr. Kritarth  
Upadhyay, Mr. Vivek Sharma and  
Ms. Khushi, Advocates.

**CORAM:**  
**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**  
**ORDER**  
% **04.07.2025**

At the outset, Ms. Radhika Bishwajit Dubey, learned CGSC appearing on behalf of the respondent – Union of India- on advance copy, draws attention to para 7(ii) of the present regular first appeal as well as Rule 2 of the Rules & Regulation of the appellant society (which is registered as a Trust under the Bombay Public Trust Act, 1950), to submit that the Principal Office of the appellant society is in Maharashtra. A copy of the Rules & Regulations of the appellant society have been appended as part of Annexure – A2 to the present regular first appeal.

2. Ms. Dubey accordingly argues, that in view of section 31(2) of Foreign Contribution (Regulation) Act 2010 ('FCRA'), the appeal



would lie in the High Court within whose territorial jurisdiction the principal office of the organisation (society in the present case) is located.

3. In this behalf, learned CGSC submits that *vide* order dated 14.05.2025 passed by a Coordinate Bench of this court in W.P.(C) No.6349/2025 titled ***Habib Educational and Welfare Society vs. Union of India***, a writ petition filed by the appellant agitating the same cause of action was disposed-of giving liberty to the appellant to avail the prescribed appellate remedy in accordance with law. A copy of order dated 14.05.2025 is appended as Annexure – A12 to the present regular first appeal.
4. Learned CGSC accordingly submits, that the present regular first appeal is not maintainable before *this* court and the appellant ought to approach the Bombay High Court.
5. Though Mr. Bijendra Singh, learned counsel appearing on behalf of the appellant contends that a Regional Office of the appellant society is situate in New Delhi within the territorial jurisdiction of this court, on a plain reading to section 31(2) of the FCRA, it is seen that statutorily, the jurisdictional High Court would be the High Court where the principal office of an organisation (society in the present case) is located, which in the present case would be the Bombay High Court.
6. Accordingly, the present regular first appeal is disposed-of, granting to the appellant liberty to pursue their appellate remedy before the High Court of competent territorial jurisdiction.
7. Pending applications, if any, also stand disposed-of.



8. For the sake of completeness, it is clarified, that this court has not entered upon the merits of the present regular first appeal *nor* upon the aspect of the delay in filing of the appeal.

**ANUP JAIRAM BHAMBHANI, J.**

**JULY 4, 2025**  
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