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

+ CRL.M.C. 5741/2025, CRL.M.A. 24619-24621/2025

G.W.A. (GREENOPOLIS WELFARE ASSOCIATION)Petitioner

Through: Mr. Arun Khatri, Mr. Sahil Khurana,
Ms. Poonam Rani, Ms. Shelly Dixit,
Ms. Anoushka Bhatia, Ms. Tracy
Sebatsian and Mr. Devender Singh,
Advocates.

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Aman Lekhi and Mr. Madhav
Khurana, Senior Advocates with
Ms. Jyoti Taneja, Ms. Asees Kaur and
Mr. Kashu Bansal, Advocates for
Orris Infrastructure Pvt. Ltd.
Mr. Mukesh Kumar, APP for State
with Mr. Awadhesh Kr. Singh, Insp.,
EOW.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **20.08.2025**

1. The Petitioner, a Welfare Association comprising of members who are purportedly home buyers of the Greenopolis Housing Project, has invoked the jurisdiction of this Court under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) assailing the order dated 1st August, 2025, passed by ASJ-07, South East District, Saket Courts, New Delhi [in Criminal Revision No. 451/25] titled *M/s Orris Infrastructures Pvt. Ltd. v.*

¹ "BNSS"

² "CrPC"



Surpreet Suri. By the impugned order, the Revisional Court stayed the summoning order dated 28th September, 2019, as well as a subsequent procedural order dated 25th July, 2025. The Court further directed that the Trial Court Record ('TCR') be summoned and issued notice to the Additional Public Prosecutor for the State for the purposes of hearing.

2. Mr. Arun Khatri, counsel for the Petitioner, submits that the impugned order, at a preliminary stage, proceeds to conclusively decide the issue of condonation of delay in filing the revision petition. He urges that the Revisional Court ought not to have stayed the summoning order dated 28th September, 2019, without first affording the Petitioner an opportunity of being heard. Moreover, he contends, the impugned order discloses no cogent basis for recording a *prima facie* view. It is further pointed out that even on the subsequent date, i.e. 8th August, 2025, when arguments are stated to have been concluded, no opportunity of hearing was extended to the Petitioner. The entire proceedings are, thus, being conducted behind their back.

3. Mr. Khatri further submits that, nonetheless, he has already filed an application before the Revisional Court seeking permission to be heard. As the said application is pending consideration, and the impugned proceedings have not culminated in final adjudication, Mr. Khatri, after making submissions for some time, seeks leave to withdraw the present petition, with liberty to pursue the aforesaid application before the Revisional Court and avail all such remedies as are available under law.

4. On the other hand, Mr. Aman Lekhi and Mr. Madhav Khurana, senior counsels, appearing for the Petitioner in the revision petition, i.e., M/s Orris Infrastructures Pvt. Ltd., object to the locus standi of the present Petitioner in invoking the jurisdiction of this Court. They submit that they reserve all



rights to oppose the Petitioner's application pending before the Revisional Court at the appropriate stage.

5. In view of the submissions, leave and liberty as prayed for are granted to the Petitioner. The Revisional Court shall consider the Petitioner's application strictly in accordance with law. All rights and contentions of the parties are kept open.

6. Accordingly, the present petition, along with the pending applications, stands disposed of.

SANJEEV NARULA, J

AUGUST 20, 2025

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