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

+ **W.P.(C) 4283/2016 & CM APPL. 18071/2016 (stay)**

**PREET NAGAR RESIDENTS WELFARE
ASSOCIATION**

.....Petitioner

Through: Mr. J.K. Sharma, Advocate through
video conferencing.

versus

REGISTRAR OF SOCIETIES & ANRRespondents

Through: Ms. Anubhav Gupta, Advocate for R-
1.

Mr. Vivek Kumar Tandon, Ms. Perna
Tandon and Mr. Harohit S. Gahlot,
Advocates for R-2.

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER
15.04.2025

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1. Learned counsel for the Petitioner draws the attention of this Court to the Order dated 10.07.2023. The relevant portion thereof reads as follows:-

“1. Learned counsel for respondent No.2 states that respondent No.2, Sh. Birijender Kumar who was the erstwhile President of one of the RWA factions which are in dispute with the petitioner faction of the RWA, has passed away on 07th February, 2023. Copy of the death certificate issued by the MCD is also presented by the learned counsel.

2. Mr. Vikas Arora, Advocate for the petitioner states that no LRs are required to be impleaded considering the nature of the matter.



3. The learned counsel for the petitioner has contended that this issue arises out of a dispute between two factions of registered society (RWA) who have been in a tussle regarding the control over Preet Nagar residential area and they have challenged the order issued by the Registrar of Societies.

4. Learned counsel for Respondent no. 2, however, states that Registrar of Societies' order did not decide the rights of the party which are already subject matter of a civil suit filed by the petitioner."

2. The Petitioner, herein, is primarily aggrieved by the following part of the Order dated 12.01.2015 impugned in the present petition:-

"115. In view of the aforesaid facts, on production of original documents before DCI (F&S) and the undersigned on pre-pages by Mr. Brijender Kumar as listed on the notesheets and order of Delhi High Court, at C/722, C/720 with express directions to the defendants in para 114 above. It is evident that Shri Brijender Kumar is the President of the Preet Nagar Residents Welfare Association."

3. Learned counsel for the Petitioner submits that the line "*It is evident that Shri Brijender Kumar is the President of the Preet Nagar Residents Welfare Association*" is prejudicing their matter being CS No. 3018/2016 titled as ***Preet Nagar Residents Welfare Society Vs. Birjender Kumar Mutneja*** pending before the learned Trial Court.

4. In view of the statement of learned counsel appearing on behalf of the deceased/Respondent no. 2 recorded *vide* Order dated 10.07.2023, this Court deems it apposite to direct that the same not be treated to be determination of the rights of either of the parties in CS No. 3018/2016 titled as ***Preet Nagar Residents Welfare Society***



(supra).

5. The present petition, along with the pending application, stands disposed of in the aforementioned terms.

HARISH VAIDYANATHAN SHANKAR, J

APRIL 15, 2025/*AK*