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

+ **CM(M) 1308/2026 & CM APPL. 38936/2026**

AL-FALAH CHARITABLE TRUST AND ORS.Petitioners

Through: Mr. Sanjeev Sagar, Sr. Advocate with
Mr. Suhail Khan, Mr. Vishal Raj
Sehijpal, Mr. Farid Ahmed Nizami
and Ms. Vratika Mittal, Advocates

versus

SRM EDUCATION AND FINANCIAL CONSULTANTS

PVT LTD

.....Respondent

Through: Mr. Aditya Jain and Mr. Satyam
Shivaach, Advocates

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

02.07.2026

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1. The present petition has been preferred by the petitioners, with petitioner no. 1 being the Trust and the remaining petitioners being its Trustees, assailing the order dated 21.04.2026 passed by the learned District Judge (Commercial Court)-01, South-East District, Saket Courts, New Delhi in **CS (Comm.) No. 944/2022**, titled **SRM Education & Financial Consultants Pvt. Ltd. v. Al-Falah Charitable Trust**, whereby the application filed by the respondent under Order I Rule 10 of the Code of Civil Procedure, 1908 ("CPC") was allowed.

2. The matter was first taken up by this Court on 17.06.2026, when the operation of the impugned order dated 21.04.2026 was stayed. The interim order has continued to remain in operation till today.

3. During the course of hearing today, after some arguments, learned



senior counsel appearing for the petitioners and learned counsel appearing for the respondent jointly submitted that petitioner nos. 4, 5 and 6, namely, Saood Ahmad Siddiqui, Suad Siddiqui and Alia Siddiqui, may be deleted from the array of parties before the learned Trial Court.

4. Learned senior counsel appearing for the petitioners further seeks leave to withdraw the present petition in view of the aforesaid arrangement, while reserving liberty to file an application under Order VII Rule 11 CPC before the learned Trial Court.

5. Learned senior counsel for the petitioners also prays for extension of time to file the amended written statement before the learned Trial Court, the petitioners' right to do so having already stood closed. The latest order passed by the Ld. District Judge (Commercial Court-01) South-East, Saket, New Delhi in **CS (Comm.) No. 944/2022** on 05.06.2026 is reproduced as under:

“Previous cost paid by the Plaintiff.

Amended memo of parties already filed on 16.04.2024 (with amended plaint).

Ld. counsel for Defendants submits that he has challenged the order dated 21.04.2026 before the Honb'le Delhi High Court.

The amended plaint and memo of parties be placed at appropriate place by Ahlmad.

Amended written statement not filed by the defendants despite opportunity granted on 21.04.2026.

Instead of closing the opportunity, let amended written statement be filed by the Defendants within 15 days from today with advance copy to the other side, failing which, the right of defendants to file the same shall be deemed to be closed.

Both the parties are also directed to appear in person for examination under Order X CPC by the Court on **21.07.2026.**”

6. Having heard learned counsel for the parties and considering the consensual arrangement arrived at between them, this Court permits deletion



of petitioner nos. 4, 5 and 6 from the array of parties before the learned Trial Court. The respondent shall file the amended Memo of Parties within one week from today. Leave is granted to the petitioners to withdraw the present petition with liberty to file an application under Order VII Rule 11 CPC before the learned Trial Court, if so advised. The time for filing the amended written statement is also extended by 30 days from today, subject to furnishing an advance copy thereof to the opposite side. It is made clear that in the event the amended written statement is not filed within the aforesaid period, the petitioners' right to file the same shall stand closed without any further order.

7. It is made clear that the petitioners shall not, at any stage of the proceedings before the learned Trial Court or any other forum, raise any objection or challenge to the deletion of petitioner nos. 4, 5 and 6, who are the Trustees of petitioner no. 1/Trust, from the array of parties, the said deletion having been effected with their express consent and at their request during the course of the present proceedings.

8. Accordingly, the present petition, along with all pending applications, is disposed of as withdrawn with the aforesaid liberty.

AJAY DIGPAUL, J

JULY 2, 2026

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