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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 153/2016, I.A. 250/2024, I.A. 10054/2024, I.A. 13331/2025,
I.A. 15405/2025 & I.A. 8069/2026

RAJINDER JAIN & ORSPlaintiffs

Through: Mr. Naresh Thanai and Ms.
Khushboo Singh, Advs.

versus

STATE & ORSDefendants

Through: Mr. Piyush Kant Jain, Mr. Ashok
Sabharwal and Mr. Shobhit
Sabharwal, Advs. for D-2.
Mr. Udaibir Singh Kochar, Adv. for
D-3.

CORAM:
HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

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05.05.2026

1. The present suit is filed under Section 92 of the Code of Civil
Procedure, 1908 with the following prayer:

“a) Remove defendant no. 2 as Pradhan Trustee of the
Trust namely, Shri Bashi Ram Viro Devi Jain Charitable
Trust;

b) or alternatively, restrain defendant no.2 from writing
letters to bank, authority or any other organization or to
cause interference in functioning/activities of trust in any
manner whatsoever, except by way of decisions taken
unanimously or with the majority of existing trustees
namely, plaintiff's and defendant no.3 of the trust.”

2. As a consequence of letters written by defendant no. 2 to the banks
with regard to the operation of the bank accounts, interim orders were



passed directing a working solution so that the functioning of the Trust is not affected during the pendency of the suit.

3. Defendant no. 2 expired during the pendency of the suit. The application filed by wife of the deceased for impleadment was withdrawn.

4. Considering that the cause of action for the prayer in suit for removal of defendant no. 2 as Pradhan Trustee of the Trust, namely Shri Bashi Ram Viro Devi Jain Trust does not survive upon the death of defendant no. 2, no adjudication of the issues framed is required and have been rendered academic.

5. The contention of learned counsel for the plaintiff that interim orders should be made absolute has no merit.

6. The suit is dismissed.

7. Needless to say that the interim orders passed during the pendency of the suit no longer survive and the Trust has to run as per the Trust Deed and the statutory provisions.

AVNEESH JHINGAN, J

MAY 5, 2026/Pa