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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 97/2021 & I.A. 2153/2021, I.A. 2154/2021, I.A. 6414/2024,**
I.A. 6420/2024
PAUL N PREM & ORS. Plaintiffs

Through: Mr. Kumar Mihir, Advocate for
plaintiffs Nos. 1-3.
Mr. Sanjiv Bahl, Mr. Pankaj Mehta,
Mr. Sumit Ahuja, Mr. Gaurav Dube,
Ms. Shweta Soni and Mr. Amirben
Sen, Advocates for applicants.

versus

BAPTIST MISSIONARY SOCIETY BMS & ORS. Defendants

Through: Mr. Viresh B. Saharya and Mr.
Akshat Agarwal, Advocates for D-1
& D-2.
Mr. Deeptakirit Verma and Ms. Neha
Sharma, Advocates for D-3.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **02.04.2024**

I.A. 7345/2024

I.A. 7346/2024

By way of the present applications filed under Order I Rule 10(2) read with section 151 of the Code of Civil Procedure 1908 ('CPC'), the applicants in these applications, who claim to be interested in the affairs of defendant No.1/Baptist Missionary Society, which they contend is a constructive trust, seek impleadment in the matter as plaintiffs.

2. As recorded in last order dated 19.03.2024, the original plaintiffs have sought to withdraw the present suit, in which leave under section 92 of the CPC is yet to be granted.



3. Mr. Sanjiv Bahl, learned counsel appearing for the applicants draws attention of this court to the observations of the Supreme Court in ***R. Venugopala Naidu and Ors. vs. Venkatarayulu Naidu Charities And Ors.***¹, wherein the Supreme Court has observed that the named plaintiffs are not the only parties to a suit under section 92 of the CPC, since the named plaintiffs are only representatives of the public at-large, which is interested in the affairs of the trust. In the circumstances, the Supreme Court has observed, that all interested persons would be considered parties to such suit.
4. After briefly hearing Mr. Bahl, issue notice.
5. Learned counsel appearing for the non-applicants, including learned counsel appearing for the original plaintiffs only, accept notice; and seek time to file replies.
6. Let replies to the applications be filed within 06 weeks; rejoinders thereto, if any, be filed within 04 weeks; with copies to the opposing counsel.
7. Re-notify on 09th July 2024.
8. Interim orders to continue, till the next date of hearing.

ANUP JAIRAM BHAMBHANI, J

APRIL 2, 2024

V.Rawat

¹ (1989) Supp 2 SCC 356 at para 9