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

+ **CS(OS) 372/2022**

SATYAM KANOI & ANR. Plaintiffs

Through: **Mr.Kartik Nayar, Advocate.**

versus

SHIV JATIA & ORS. Defendants

Through: **Mr.Sidhant Kumar and Ms.Manyaa Chandok, Advs. for D-1, 2 & 4.**

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **17.06.2022**

I.A. 9761/2022

This is an application preferred on behalf of the plaintiffs under Section 151 CPC for exemption from filing of certified order, clear copies of the documents.

Allowed, subject to all just exceptions.

Application is accordingly disposed of.

I.A. 9759/2022

This is an application preferred on behalf of the plaintiffs under Section 92(1) CPC seeking leave of this Hon'ble court to institute the present suit.

Leave granted. Application is accordingly disposed of.

CS(OS) 372/2022 & I.A. 9760/2022

Plaint be registered as suit.

An application has been preferred on behalf of the plaintiffs under Order XXXIX Rules 1 and 2 and Section 151 of the CPC seeking temporary injunction against defendant Nos.1 and 2.

Issue summons of the suit along with the notice of application to the defendants. Ms. Manyaa Chandok, Advocate appears on behalf of defendant Nos.1, 2 and 4 on advance notice and accepts notice.



Defendant No.3 be served by all permissible modes on necessary steps being taken by the plaintiffs.

Written statement(s) to the suit and reply(ies) to the application(s) be filed by the defendants within thirty days from the date of receipt of summons. The defendants shall also file the affidavit of admission/denial of the document filed by the plaintiff, failing which the written statement(s) shall not be taken on record.

The plaintiffs are at liberty to file replication(s) to the written statement(s) and rejoinder(s) to the reply(ies) filed by the defendant(s) before the next date of hearing following the filing of the written statement(s)/reply(ies). The replication(s) shall be accompanied by the affidavit of admission/denial in respect of the documents filed by the defendant(s), failing which the replication(s) shall not be taken on record.

If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

Learned counsel for defendant No.1, 2 and 4 on instructions submits that the defendants undertake not to call a meeting of board of trustees till the next date of hearing i.e. 29.06.2022 and discuss the agenda dated 02.06.2022. Defendants No. 1, 2 and 4 shall be bound by the statement.

Considering the facts and circumstances of the case, the defendants No.1, 2 and 4 are also restrained in any way obstructing the functioning of Delhi Public School, New Town, Kolkata till the next date of hearing.

At request of learned counsel for defendants No. 1, 2 and 4, list before the Vacation Bench on 29.06.2022.

ANOOP KUMAR MENDIRATTA, J
(VACATION JUDGE)

JUNE 17, 2022/ik