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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 369/2022 and I.A. 9696/2022**

SATYAM KANOI & ANR.

..... Plaintiffs

Through: Mr. Kirti Uppal, Sr. Adv. with Mr.
Kartik Nayar, Mr. Rishab Kumar, Mr.
Ajit Kumar, Adv.

versus

SHIV JATIA & ORS.

..... Defendants

Through: Mr. Sidhant Kumar & Ms. Devika
Mohan, Adv. for D-1
Ms. Manali Singhal, Ms. Shreya
Singhal, Ms. Mhasilenuo Kreditsu, Ms.
Aanchal Kapoor, Mr. Santosh Sachin
& Mr. Deepak Singh Rawat, Adv. for
D-2 (M- 9810528055)

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WITH

+ **CS(OS) 372/2022 and I.A. 9760/2022, 16650/2022, 18277/2022,
18278/2022**

SATYAM KANOI & ANR.

..... Plaintiffs

Through: Mr. Kirti Uppal, Sr. Adv. with Mr.
Kartik Nayar, Mr. Krish Kalra, Mr.
Rishab Kumar Adv.

versus

SHIV JATIA & ORS.

..... Defendants

Through: Mr. Sidhant Kumar & Ms. Devika
Mohan, Adv. for D-1.
Ms. Manali Singhal, Ms. Shreya
Singhal, Ms. Mhasilenuo Kreditsu, Ms.
Aanchal Kapoor, Mr. Santosh Sachin
& Mr. Deepak Singh Rawat, Adv. for
D-2

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AND

+ **CS(OS) 373/2022 and I.A. 9764/2022, 11259/2022, 13904/2022,
13906/2022, 18276/2022**

SHIV KUMAR JATIA & ANR.

..... Plaintiffs

Through: Mr. Sidhant Kumar & Ms. Devika
Mohan, Adv. for P-1.
Ms. Manali Singhal, Ms. Shreya
Singhal, Ms. Mhasilenuo Kreditsu, Ms.



Aanchal Kapoor, Mr. Santosh Sachin
& Mr. Deepak Singh Rawat, Advs. for
P-2.

versus

RAM PYARI DEVI CHARITABLE TRUST & ORS. Defendants

Through: Mr. Kirti Uppal, Sr. Adv. with Mr.
Kartik Nayar, Mr. Krish Kalra, Mr.
Rishab Kumar Advs.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **24.05.2024**

1. This hearing has been done through hybrid mode.
2. These are three suits relating to the trust-Ram Pyari Devi Charitable Trust. The suit has been filed by the Plaintiffs, seeking injunction against the Defendants from having the possession of the original lease deed dated 25th October, 2004, which shall be maintained at the registered office of the Defendant No. 3 trust and from creating any third party rights in respect to the said deed. The activities of the trust are primarily related to running of a school *i.e.*, DPS New Town Calcutta which is a franchisee of the DPS schools. The issue in the present matter relates to certain income tax notices received in the name of the trust to which all the trustees also have access. In the present matter, in terms of order dated 15th September, 2023 in **FAO(OS) 126/2022** titled **Shiv Kumar Jatia & Anr. v. Satyam Kanoi & Ors.**, a retired Supreme Court Judge has been appointed as the Administrator to take care of all the State taxes, income tax and all the statutory dues, as also supervise and control the movable and immovable properties, bank account, fixed deposits etc. belonging to the trust. However, there are certain apprehensions with regard to the constitution of trust which have been raised in the present case. Accordingly vide order dated 23rd January, 2024 the



parties were directed to place their respective proposals for settling of the scheme of the trust. Neither of the parties have placed any proposals on record in terms of the previous order dated 23rd January, 2024.

3. However, on behalf of the Id. Administrator, it is submitted by Mr. Tanmaya Mehta, Advocate, that an application has been filed before the Id. Division Bench by the Id. Administrator in **FAO(OS) 126/2022** where the prayer is as under:

*“A. Modify order dated 15.09.2023 to the extent stated in the present application and consequently, supersede the existing board of trustees comprising of Mr. Shiv Kumar Jatia, Ms. Vidhi Jatia, Satyam Kanoi and Chandan Chaudhuri, and appoint a set of new trustees and thereafter discharge the applicant administrator;
B. Pass such order or further order(s) and grant another appropriate relief(s) as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”*

4. It is also submitted by Mr. Mehta that the said application is yet to be listed.

5. In view of the above submissions, list this matter on 9th August, 2024.

PRATHIBA M. SINGH, J.

MAY 24, 2024

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