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

+ C.R.P. 172/2024 & CM APPL. 32875/2024

AKHIL BHARTIYA SANTMAT SATSANG (REGD.) & ORS.

.....Petitioners

Through: Mr. Jatinder Kumar Sethi, Mr. Sarthak Karol, Mr. Himanshu Sethi, Ms. Aishwarya C. Sethi and Ms. Neelakshi Bhaduria, Advocates.

versus

SHRI ASANAND JI & ORS.

.....Respondents

Through: Mr. Paras Jaiswal, Mr. Kavish Aggarwala, Mr. Shubham Kumar, Mr. Uttam Kumar, Mr. Vishal Kumar Singh and Mr. Suraj Pathak, Advocates for R-2, 3, 6 and 7.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

04.08.2025

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1. The principal grievance of the Petitioners is that the provisions of Section 92 of the Code of Civil Procedure, 1908 [hereinafter referred to as "CPC"] have not been complied with prior to filing of a suit.
2. Learned Counsel for the Petitioners submit that the Respondent/ Society is a "constructive Trust" created for public purposes of a religious nature, hence, prior to filing a suit, the permissions as have been set out in Section 92 of the CPC have to be obtained.
3. The learned Trial Court, by the Impugned Order, found that the bar of Section 92 of the CPC does not apply in the present case.



4. Learned Counsel for the Petitioners reiterates that the Respondent/ Society is a “constructive Trust” and requests for some time to place on record a short note of contentions in support of his averments.
5. The parties shall file their short note of contentions in the matter, not exceeding three pages each, at least three days before the next date of hearing, along with the compilation of judgments, if any, they wish to rely upon. All judgments sought to be relied upon shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.
6. The predecessor bench of this Court had by an order dated 29.05.2024 directed that the proceedings of the learned Trial Court shall remain in abeyance till the next date of hearing. The order is continued as is since then.
7. At request, list on 11.09.2025.
8. Interim order to continue till the next date of hearing.
9. The parties shall act based on a digitally signed copy of the order.

TARA VITASTA GANJU, J

AUGUST 4, 2025/pa