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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LPA 617/2023 & CM APPL. 45574/2023 –Addl. doc.**
YUVA BHARTI TRUST THROUGH SECRETARY & ANR.

.....Appellants

Through: Mr. Alok Kumar, Sr. Adv. with
Ms. Manisha A. Narain, Mr. Ravinder, Mr. Amit
Kumar Singh, Mr. Manish Tiwari, Mr. Varun
Maheshwari, Mr. Manan Soni and Ms. Avni
Kritika, Advs.

versus

YUVA BHARTI TRUST & ANR.

.....Respondents

Through: Mr. Kirti Uppal, Sr. Adv. with Mr.
S.S. Sisodia, Mr. Saurav Kumar and Mr. Swapnil
Choudhary, Advs. for R-1.

Mr. Fateh Singh Bhullar, Adv. for Mr. Divyam
Nandrajog, Adv., Panel Counsel, GNCTD/R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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08.10.2024

1. The present petition under Clause X of the Letters Patent seeks to assail the order dated 11.07.2023 passed by the learned Single Judge in W.P.(C) 11748/2018.
2. Vide the impugned order, the learned Single Judge has allowed the writ petition preferred by respondent no. 1 permitting the appellants to apply to the Registrar of Societies for change of its name to a name different from that of the respondent no.1 society.
3. The primary submission of learned senior counsel for the appellants is



that the impugned order has been passed without appreciating the fact that a similar relief had already been sought by the respondent no. 1 in a suit filed much earlier, which suit is still pending consideration before the learned Trial Court and therefore on this ground alone, the writ petition was liable to be rejected.

4. We have put to learned senior counsel for the appellants as to whether this fact was brought to the notice of the learned Single Judge, he answers in the affirmative by drawing our attention to the counter affidavit filed before the learned Single Judge, where this plea of the writ petition not being maintainable was specifically raised.
5. In the light of this position emerging from the records, Mr. Uppal, learned senior counsel for the respondents prays for time to respond to this submission.
6. List on 18.11.2024.

REKHA PALLI, J

SAURABH BANERJEE, J

OCTOBER 8, 2024

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