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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 630/2022**

RAMJAS COLLEGE Plaintiff
Through: Mr. Anurag Mathur, Advocate.

versus

THE PRESIDENT RAMJAS COLLEGE
STAFFASSOCIATION & ANR. Defendants
Through: Mr. Raja Chatterjee, Mr. Adeel
Ahmed, Mr. Piyush Sachdev, Mr.
Aditya Pathak, Advocates.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **23.02.2023**

I.A. 2850/2023 (for condonation of delay in filing written statement) &
I.A. 2897/2023 (for delay in filing reply to application under Order
XXXIX Rules 1 and 2 of CPC).

1. These two applications have been filed by the defendants for condonation of delay in filing the written statement and in filing a reply to I.A. No. 16685/2022.
2. The defendants seek to explain the delay of 41 days in filing the written statement and the reply to I.A. No. 16685/2022 on the basis that it took some time to arrange the documents filed with the written statement and that the defendants were thereafter travelling outside Delhi.
3. Mr. Anurag Mathur, learned counsel for the plaintiff, submits that the delay may be condoned, subject to an order of costs as the Court may consider appropriate.
4. Having regard to the submissions and in the interest of justice, the



applications are allowed and delay in filing the written statement and the reply are condoned subject to payment of costs of ₹20,000/- by the defendants to the plaintiff.

5. The applications stand disposed of in terms of the aforesaid directions.

I.A. 16685/2022 (Under Order XXXIX Rules 1 and 2 read with Section 151 of CPC for grant of ad-interim ex-parte injunction alongwith supporting affidavit)

1. The reply to the application has been taken on record by the order passed today in I.A. No. 2897/2023.

2. By an *ad interim* order dated 13.10.2022, the Court directed as follows:

“24. Considering the submissions made before the Court and the documents on record, I hold that the plaintiff has made a prima facie case in its favour. In view of the aforesaid, it is directed that till the next date of hearing, the defendants and their employees, associates, legal heirs, legal representatives, assignees, agents, servants, administrators or any other person are restrained from holding demonstrations and dharnas, shouting slogans, holding meetings, etc., within a distance of 100 meters from the office of Principal of the plaintiff college. The defendants shall not obstruct, intimidate or prevent the ingress and egress or in any manner interfere with the activities of any members of teaching and non-teaching staff or the students of the plaintiff or any visitor or of any students or in the premises of the plaintiff college.”

3. Mr. Raja Chatterjee, learned counsel for the defendants, upon instructions from the defendant No. 1, who is present in Court, states that the aforesaid order may be confirmed, subject to the plaintiff providing an alternative site within the campus of the plaintiff-college where the defendants can hold their meetings outside the distance of 100 meters from the Principal's office. Mr. Chatterjee draws my attention to e-mail communications, addressed between the defendant No. 1 and the



Principal of the plaintiff-college. In the communication of the defendant No. 1 dated 14.01.2023, he has requested the Principal to identify the places in the college where the meetings of the association can be held. The Principal, by a communication dated 17.01.2023, has contended that *“there is no well defined place for organising such a gathering in the college premises beyond 100 meters from the Principal’s office.”*

4. Mr. Mathur today states, upon instructions, that an alternative room will be identified wherein the defendants may hold their meetings. This will be communicated to defendant No. 1 within two weeks.

5. In view of the aforesaid directions, the application is disposed of with consent of learned counsel for the parties by confirming the interim order dated 13.10.2022, subject to the directions contained above.

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1. The written statement has been taken on record by order passed today in I.A. No. 2850/2023.
2. Replication thereto may be filed within 15 days alongwith affidavit of admission/denial of the defendants’ documents.
3. List before the learned Joint Registrar on 28.03.2023 for marking of exhibits.
4. List before the Court 17.07.2023.

PRATEEK JALAN, J

FEBRUARY 23, 2023/‘Bhupi’/