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

+ W.P.(C) 1281/2016 and C.M. Appl. 5637/2016

SUDHANSHU KUMAR & ORS. Petitioners

Through: Mr. S.K. Rungta, Senior Advocate
with Mr. Pankaj Sinha and Mr.
Prashant Singh, Advocates

versus

DELHI DEVELOPMENT AUTHORITY & ORS. Respondents

Through: Mr. Arun Birbal and Mr. Sanjay
Singh, Advocates for DDA
Ms. Prabhsahay Kaur, Ms. Shilpa
Dewan and Ms. Surbhi Banka,
Advocates for respondents No.2 & 4
Mr. Pragyan Pradip Sharma and Ms.
Anandini Kumari, Advocates for
respondents No.5 to 7
Mr. Ravi Gupta, Senior Advocate as
Chairman of the Committee

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
21.07.2017

1. Vide order dated 03rd June, 2016, this Court constituted a Committee under the Chairmanship of Mr. Ravi Gupta, Senior Advocate to take over the operations of the hostel for blinds located on the first floor of property bearing No.T-31A/5, Begumpur, Malviya Nagar, New Delhi-110017. The Committee has efficiently managed the operations of the hostel for more than one year. The Committee has submitted five reports.
2. Mr. Ravi Gupta, learned senior counsel and Chairman of the Committee submits that it would be appropriate to constitute a Board of



Management for operating the hostel. The Committee has drafted the rules and regulations which are part of the fifth report.

3. Mr. S.K. Rungta, learned senior counsel for the petitioners as well as Mr. Pragyan Sharma, learned counsel for respondents No.5, 6 and 7 place on record their appreciation for the work done by the Committee appointed by this Court. Learned counsels however have some objections to the draft rules and regulations drafted by the Committee.

4. This Court is of the prima facie view that it would be appropriate to form an interim Board of Management and adopt the draft rules and regulations drafted by the Committee as an interim measure and the objections of the parties shall be considered in due course. In the meantime, any difficulty that would arise in the daily operations of hostel in terms of the draft rules and regulations shall also be considered by this Court. Learned counsels for both the parties agree to the suggestion of this Court.

5. In view of the above, the rules and regulations drafted by the Committee and forming part of their 5th report are adopted as an interim measure and the interim Board of Management in terms of Clause 2 is constituted. The petitioners as well as respondents no.5 to 7 shall nominate one member each. Mr. Ravi Gupta and Mr. Arun Birbal agree to continue as independent members for a period of six months. Mr. Mahesh Sharma presently a member of the Committee, shall also continue as a representative of the Commissioner (Disability) for a period of six months. Mr. Ravi Gupta shall be the Chairman of the Board of Management.

6. The Board of Management constituted today shall immediately take over the operations of the hostel. The coram of the Board of Management shall be three. The Board of Management shall open a new bank account with UCO Bank, Delhi High Court Branch whereupon the society shall transfer the existing balance in its account, to the new account of the Board



of Management within a period of three weeks. UCO Bank, Delhi High Court Branch shall open the account upon the Board of Management fulfilling the necessary formalities. The account shall be operated by the signatures of the Chairman and the nominee of the society.

7. This Court shall review the working of the Board of Management after a period of six months from today. The parties are given the liberty to file their response to the working.

8. List before Delhi High Court Mediation and Conciliation Centre on 03rd August, 2017 at 04:30 P.M. Delhi High Court Mediation and Conciliation Centre shall appoint a senior mediator to mediate between the parties.

9. List for reporting outcome of mediation on 25th October, 2017.

10. Copy of this order be given *dasti* to counsels for the parties under signatures of the Court Master.

J.R. MIDHA, J.

JULY 21, 2017
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