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

+ **CONT.CAS(C) 216/2012**

UNIVERSITY OF DELHI

.....Petitioner

Through: Mr. Mohinder J.S. Rupal,
Advocate.

versus

ASHVIN CHADHA & ORS

.....Respondents

Through: Mr. Ramesh Singh, Sr. Adv. alongwith
Mr. Amit Sethi, Ms. Ekadhana Sethi,
Adv. for R-1 & 2.
Mr. Biju Shankar, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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08.09.2025

1. During the course of arguments, learned (senior) counsel for the parties have drawn the attention of this Court to the order dated 12.09.2023, wherein it is recorded as under:-

1. Mr. Singh, learned senior counsel for the respondent Nos. 1 and 2 states that out of the total sum of Rs. 1.38 crores, the respondents have already paid a sum of Rs. 50 lakhs.
2. The balance amount due and payable by the Atma Ram Trust would be Rs. 19 lakhs and the balance amount of Rs. 69 lakhs is required to be paid by Sanatan Dharam Sabha.
3. Mr. Singh, learned counsel for the respondent has drawn my attention to the minutes of the meeting dated 05.02.1988 in this regard which reads as under:-

"22..... Shri C.M. Chadha proposed that as the Sabha has five out of ten members of the Governing Body the deficit over and above the income from the Kirti Nagar property accruing to the college can be shared by Atma Ram Trust with the Sabha in the ratio of 50:50. The Trust is ready and willing to meet its share of deficit, the balance of the 50% should be met by the Sabha. However, Shri F.C. Mehra very generously declared that Shri Sanatan Dharma Sabha will meet the whole of the deficit on its own from its own resources without sharing the deficit with Atma Ram Trust. . . ."



2. Learned senior counsel for the respondent nos.1 and 2 on the other hand, drawing the attention of this Court to the order dated 25.10.2024 submits that the remaining amount of Rs.19,00,000/- has also been paid to the Atma Ram Sanatan Dharama College as well. He further submits that, as such the remaining amount of Rs.69,00,000/- out of the total amount of Rs.1.38 Crores is not payable by the said respondent nos.1 and 2 since as per him the said respondent nos.1 and 2 were only liable to pay 50% of the total amount of Rs.1.38 Crores, which has already been paid by them. In effect, it is his case that the present contempt petition *qua* the said respondent nos.1 and 2 has become infructuous.

3. On the other hand, learned counsel for the petitioner submits that since there is a wilful disobedience and violation of the order dated 24.11.2011 of this Court by the respondent nos.1 and 2, and since the said judgment has been passed against them, it is only they who can/ are liable to clear the balance amount of Rs.69,00,000/-. He further submits that therefore, if the said respondent nos.1 and 2 have failed to comply with the said direction, the present contempt petition is very much alive and they are liable to be held guilty of contempt for their wilful disobedience and violation of the order dated 24.11.2011 passed by this Court.

4. As such, renotify for arguments on the only issue for consideration before this Court is *qua* non payment of the remaining amount of payable by the respondent nos.1 and 2, on 17.12.2025.

SAURABH BANERJEE, J

SEPTEMBER 8, 2025/So