



2026, Page 1 of 4

\$~31

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

+ **CS (OS) 148/2018**

**THE YOUNG MENS CHRISTIAN ASSOCIATION OF
ERNAKULAM & ORS**

..... Plaintiffs

Through: Mr. P.I. Jose, Mr. Shashank Mishra
and Ms. Chandralekh, Advocates.
(M:9811556966)

Mr. Ajit Pudussery and Mr. Ajeet
Singh Verma, Advocates for
Applicant. (M:9810164651)

versus

NATIONAL COUNCIL YMCAS OF INDIA

..... Defendant

Through: Mr. Amit Mahajan, Mr. Hari Beeran
and Mr. Usman Ghani Khan,
Advocates. (M:8527578850)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

%

04.10.2018

I.A. 13623/2018

1. This is an application seeking cancellation of the National Board Meeting which is to be held on 5th October, 2018. Parties have been heard in the matter. The elections to be held on 6th October, 2018 have already been postponed by the orders of the Election Officer. By this application, learned counsel for the Plaintiffs seeks cancellation of the National Board Meeting which is to be held on 5th October, 2018. Learned counsel for the Defendant, however, has submitted a copy of the agenda for the National Board Meeting, which does not include the elections. He also submits that the National Board Meeting is held every year.

CS (OS) 148/2018

Page 1 of 4



2023, Page 2 of 4

2. It is seen from the agenda that one of the agenda items is for approval of the previous minutes, annual report of 2017-18 and the audited statements of 2017-18. The said meeting is held annually and participants for the meeting have reached from various parts of the country. The fact that elections are not being held as the process of deciding objections is taking time, does not mean that the normal business of the YMCAs should come to a stand still. It is, accordingly, directed that the National Board Meeting fixed on 5th October, 2018 shall go on as scheduled. However, any decision taken therein shall be subject to further orders that may be passed in these proceedings.

3. I.A. is disposed of.

I.A. 13706/2018

4. This is an application filed by the Defendant seeking that the elections be conducted at an early date. This Court has perused the minutes of the last meeting dated 30th September 2018 chaired by the Ld. Election Officer Justice Anil Dev Singh (Retd.,) produced before the Court. A perusal of the same reveals that due to the objections and counter-objections raised by both sides, the electoral roll i.e., the persons who have to vote and the organisations they are to represent is not yet finalised. Hence the elections have been postponed.

5. Both counsels agree that the issue in respect of only about 130 YMCAs is pending before the Election Officer. The objections and counter objections in respect of the said bodies would be heard by the Ld. Election Officer. If feasible, attempt be made to conclude the elections on or before 31st December, 2018. Both parties are directed to cooperate in the expeditious conduct of the elections by the Ld. Election Officer.



2026, Page 1 of 6

6. I.A. is disposed of.

I.A. 4738/2018

7. By this application, various interim orders are prayed for. For the time being, however, Mr. Amit Mahajan, learned counsel for the Defendant submits that he is willing to file on record the expenses incurred by the National Council since the institution of the suit in a sealed cover within a period of two weeks.

8. List on 17th January 2019.

I.A. 10620/2018

9. This is an application filed by the Plaintiffs for impleadment of Applicants as Plaintiffs and Non-Applicants No.2 and 3 as Defendants to the Suit.

10. The Applicants are those parties who had filed a separate suit before this Court, prior to the institution of the present suit. In fact some of the reliefs sought in the present suit relate to them. However, the present suit being one under Section 92 CPC, no party who has grievances specific to itself ought to be permitted to be a Plaintiff. The applicants are directed to be impleaded as Defendants 2 & 3 in the matter. They are allowed to make submissions to assist the Court. Amended memo of parties be filed.

11. The further prayer in the suit is that the President and the Secretary ought to be impleaded by name as Defendants. The said parties are already contesting the suit on behalf of the National Council. Hence there is no need to implead them separately as the grievances against them are in respect of the functioning of the National Council. If at a later stage their impleadment is considered necessary, appropriate orders shall be passed by the Court.

12. I.A. is disposed of with these observations.



2026, Page 1 of 4

I.A. 10373/2018

13. The prayer being sought by the present applicant is similar to the prayer, which was considered by the Court at the time when the order dated 19th July, 2018 was passed which is still pending consideration. So no order can be passed at this stage.

14. List on 17th January 2019.

I.A. 4737/2018 & CS(OS) 148/2018

15. List before the Joint Registrar for marking of exhibits on 26th November, 2018.

16. List before Court on 17th January, 2019.

PRATHIBA M. SINGH, J.

OCTOBER 04, 2018

Rekha