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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 148/2018 & I.As. 4737/2018, 4738/2018, 14720/2018,
16192/2018, 16209/2018, 16626/2018, 16978/2018, 16979/2018,
665/2019, 666/2019, 667/2019, 1580/2019, 1581/2019, 1582/2019,
1892/2019, 1893/2019, 1894/2019, 1895/2019, 1902/2019, 2653/2019
THE YOUNG MENS CHRISTIAN ASSOCIATION OF
ERNAKULAM & ORS Plaintiffs

Through: Mr. Jayant Bhushan, Sr. Advocate
with Mr. P.I. Jose & Ms. P.S.
Chandrelekha, Advocates (M-
9811556966)
Mr. Rohit Nagpal, Mr. Jaspreet S. Rai
& Mr. Abhay Bhandari, Advocates
(M-9811601211)

versus

NATIONAL COUNCIL YMCAS OF INDIA Defendant

Through: Mr. Ajit Pudussery & Mr. Ajeet
Singh Verma, Advocates for D-2& 3
(M-9205813618)
Mr. Manu Krishnan, Advocate for D-
4 (M-9599566339)
Mr. Jayant Mehta, Mr. Rohit Nagpal
& Mr. Jaspreet Rai, Advocates (M-
9811601211)
Mr. Puneet Jaiswal, Advocate (M-
9891234058)

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **20.02.2019**

1. The Observer's report has not been furnished to the counsels for the



2023-148-2018

parties. Let copies of the Observer's report be given to all the counsels for the parties.

2. Mr. Manikumar has filed an application being I.A. No.1895/2019 pursuant to the order of the Ld. Division Bench passed in FAO(OS) 20/2019 dated 29th January, 2019. Ld. Counsel appearing on his behalf submits that though this application was filed on 31st January, 2019, it was not listed either on 1st February, 2019 or on 8th February, 2019, when the matter was listed before this Court. It is, however, listed today. It is submitted by Mr. Mehta, Ld. Counsel, that Mr. Manikumar was appointed as the National General Secretary of the National Council of YMCAs of India as per the Constitution of YMCA. He should, therefore, be permitted to continue as the National General Secretary.

3. On 17th January, 2019, this Court had passed several directions. Mr. Manikumar was present in Court and it was after taking into consideration various factors, including the fact that access to records of YMCA, which were under his lock and key, were not being given, despite repeated requests, for access to the same, being made by the elected President, the said directions were passed on 17th January, 2019.

4. The report of the Court Observer shows that four out of the five elected officials, who met on 1st February, 2019, have agreed for Mr. Bertram Devdas to be the Officiating Secretary. However, the said decision is in abeyance by virtue of the orders passed by the Ld. Division Bench until the decision in the application filed by Mr. Manikumar.

5. Considering that the schedule for electing the National Executive is also to be finalized, both sides are permitted to produce a complete list of YMCAs which were considered by the Election Officer – Justice Anil Dev



Singh (Retd.) along with a note detailing as to which of the said YMCAs were held to be in good standing and which were not. Appropriate orders in respect of the said YMCAs would also be passed on the next date.

6. The interested parties, who have filed applications for impleadment, are merely allowed to intervene in the matter and make their submissions.

7. Mr. Punit Jaiswal is permitted to appear as the Counsel for the Defendant No.1, in view of the decision taken in the meeting held on 1st February, 2019.

8. Replies, if any, to the application filed by Mr. Manikumar be filed within one week. List the application being I.A. No.1895/2019 on 25th March, 2019.

9. The Local Commissioner has brought the keys of the cupboard containing the records. The same is retained on record and shall be kept in the safe custody of the Deputy Registrar (Original Side).

10. All the applications be listed for hearing before this Court on the next date. List on 25th March, 2019.

PRATHIBA M. SINGH, J.

FEBRUARY 20, 2019

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