



2026:DHC:8488



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

% Judgment reserved on: 28.09.2026
Judgment delivered on: 29.09.2026

CNR No. DLHC010975812025

+ CS(OS) 881/2025, I.A. 30481/2025, I.A. 4715/2026, I.A. 14791/2026, I.A. 14806/2026, I.A. 20050/2026, I.A. 26154/2026, I.A. 26156/2026, I.A. 26157/2026 & I.A. 26163/2026

BINOY THOMAS & ORS.Plaintiffs

versus

NATIONAL REAL ESTATE DEVELOPMENT COUNCIL & ORS.

.....Defendants

Advocates who appeared in this case:

For the Plaintiffs: Mr. Kirtiman Singh, Senior Advocate and Mr. T. Singhdev, Senior Advocate with Mr. Amber Sachdeva, Mr. Puru Lekhi, Ms. Anum Hussain and Mr. Moullick, Advocates.

For the Defendants: Mr. Jayant Mehta, Senior Advocate with Mr. Manu Nair, Ms. Riya Basu and Ms. Zubia Rehan, Advocates for D-1 to D-3.
Mr. Bhavik Lalan, Ms. Riya Basu and Ms. Zubia Rehan, Advocates for D-4.
Ms. Nitika Bhutani, Panel Counsel for GNCTD/D-5.
Mr. Tejvir Bhatia and Mr. Gurumukh Singh Arora, Advocates for D-8.



CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

TUSHAR RAO GEDELA, J.

I.A. 26158/2026 (Under Order XXXIX Rules 1 and 2 CPC)

1. This is an application of behalf of the plaintiffs under Order XXXIX Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, 1908, seeking *ad-interim* stay on the 28th Annual General Body Meeting of National Real Estate Development Council (hereinafter referred to as “NAREDCO”)/defendant no.2, scheduled on 30.09.2026 or, in the alternative, permitting that meeting to proceed only in respect of agenda item nos.28.2 and 28.3 and restraining the defendants from considering, passing, implementing or giving effect to any resolution under agenda item nos.28.1 and 28.4, during the pendency of the present suit..

2. The present application has been moved by the plaintiffs seeking the following reliefs:

“ i. Pass an *ad-interim* order restraining NAREDCO, Shri Parveen Jain, the persons claiming the disputed offices, and all persons acting through or under them from holding or conducting the 28th Annual General Body Meeting of NAREDCO scheduled on 30.09.2026; or, in the alternative, permit the said meeting to proceed only in respect of Agenda Items 28.2 and 28.3 of Circular No. 512 dated 15.09.2026, namely the annual report and accounts and the appointment of auditors, and restrain NAREDCO, Shri Parveen Jain, the persons claiming the disputed offices, and all persons acting through or under them from considering, passing, implementing or giving effect to any resolution under Agenda Items 28.1 and 28.4 during the pendency of the present suit;

ii. Without prejudice to prayer A, restrain NAREDCO, Shri Parveen Jain, the persons claiming the disputed offices, and all persons acting through or under them from moving, considering or passing any resolution under Item 28.1 of Circular No. 512 dated 15.09.2026 approving, confirming, adopting or ratifying the minutes of the 27th Annual General Body Meeting dated 14.10.2025, and from acting upon Item 28.4 thereof insofar as it purports to continue, recognise or ratify the offices of Chairman and President that are



under challenge in the present suit;

iii. In the event the 28th Annual General Body Meeting is permitted to proceed, direct NAREDCO to make a continuous audio-video recording of the entire meeting; and further direct NAREDCO to preserve forthwith, without alteration or deletion, and to produce within such time as this Hon'ble Court may direct, the complete native audio-video recordings, metadata, attendance records, notices, agenda notes, draft and final minutes and related electronic records of the 27th Annual General Body Meeting and the 138th Governing Council Meeting held on 14.10.2025, of the 140th Governing Council Meeting held on 15.09.2026, and of the 28th Annual General Body Meeting;

iv. Preserve the video footing of 27th Annual General Body Meeting and 138th General Council Meeting;

v. Pass such ad-interim ex-parte orders as this Hon'ble Court may deem fit, in view of the urgency involved, and thereafter confirm the same after hearing the parties;

vi. Pass such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

3. An apprehension was expressed by Mr. Singh, learned senior counsel for the plaintiffs, that agenda item nos.28.1 and 28.4 of the Annual General Meeting (hereafter referred to as “AGM”) scheduled to be held on 30.09.2026 is actually in disguise an oblique method to overreach and overcome the restrictions placed on the defendant no.2/NAREDCO by this Court as also by the learned Division Bench *vide* order dated 23.04.2026 in ***National Real Estate Development Council & ors. vs. Ravula Venekateswara Rao & Ors.***, FAO(OS) 54/2026, whereby it was enjoined from appointing any Governing Council members till this Court decided the injunction application.

4. It was stated that by virtue of agenda item no.28.1, the defendant no.2/NAREDCO would get the minutes of the meeting of the 27th AGM held on 14.10.2025 confirmed, and *vide* the agenda item no.28.4, the



defendant no.2/NAREDCO would get continuation of the existing Governing Council approved for the year 2026-27. It is on this apprehension that the present application has been filed.

5. On the other hand, Mr. Jayant Mehta, learned senior counsel appearing for the defendant no.2/NAREDCO would submit that the apprehensions expressed by the plaintiffs are unfounded and imaginary. In any case, he would submit that, the plaintiffs cannot block the larger number of members of the defendant no.2/NAREDCO from exercising their rights conferred upon them by virtue of the Rules and Regulations of the defendant no.2/NAREDCO. He would submit that the defendant no.2/NAREDCO is conscious of the interim injunction order passed by this Court and also aware of the order dated 23.04.2026 passed by the learned Division Bench modifying the interim order passed by this Court.

6. He would submit that, so far as agenda item no.28.4 is concerned, the proposal mentioned therein is in consonance with the Rules and Regulations of the defendant no.2/NAREDCO, and it is in pursuance of such provisions that agenda item no.28.4 has been proposed. He would submit that, in terms of the Rules and Regulations of the defendant no.2/NAREDCO, 1/3rd members of the Governing Council are to retire in the AGM and the vacancies arising thereto have to be filled in by persons elected at the said AGM. This process is to continue in every AGM. Thus, according to him, the proposal in agenda item no.28.4 is in consonance with the Rule 5 of the Rules and Regulations of the defendant no.2/NAREDCO.

7. He would further submit that, but for the present suit, the elections to the remaining posts of Office Bearers would have been completed long ago and the proposal in agenda item nos.28.4 and 28.1 would have been in



consonance with the Rules and Regulation of the defendant no.2/NAREDCO.

8. He thus, would submit that by way of the present application, the plaintiffs are obstructing and creating hurdles in the normal functioning of the defendant no.2/NAREDCO.

9. Having heard learned senior counsel for the parties, it is deemed relevant to first consider the interim injunction granted by this Court *vide* order dated 23.03.2026 and modified by the learned Division Bench *vide* the order dated 23.04.2026. The said order dated 23.03.2026 reads thus:-

“I.A. 30481/2025

- 1. The present application has been filed on behalf of the plaintiffs.*
- 2. Learned Senior Counsel appearing for the plaintiffs submits that Notice dated 19th February, 2026 has been issued by defendant no. 2 and signed by defendant no. 4, wherein, they have kept a meeting on 26th March, 2026.*
- 3. It is submitted that pending the present suit, working of the current office bearers of the National Real Estate Development Council (“NAREDCO”) - defendant no. 2 be stayed.*
- 4. Learned Senior Counsel appearing for the plaintiffs submits that they have challenged the elections of the Governing Council held on 14th October, 2025, as the said elections were held in complete violation of the rules and regulations.*
- 5. The matter requires consideration.*
- 6. Considering the submissions made before this Court, it is directed that no meeting of the Governing Council shall be conducted, with a view to take any decisions, which shall have a bearing on the working of the NAREDCO, till the next date of hearing.*
- 7. Pleadings in the matter, are yet to be completed.*
- 8. This Court notes that written statement is yet to be filed on behalf of defendant nos. 2 to 5, and the reply to I.A. 30481/2025, is also to be filed.*



9. Accordingly, list before the Joint Registrar (Judicial) for further proceedings on 17th April, 2026.”

10. It is noted that this Court, in the order dated 23.03.2026, directed that no meeting of the Governing Council shall be conducted with a view to take any decision which may have a bearing on the working of defendant no.2/NAREDCO. This order was to subsist till the next date of hearing. The defendant no.2/NAREDCO had filed an appeal bearing FAO(OS) 54/2026 titled '**National Real Estate Development Council & ors. vs. Ravula Venekateswara Rao & Ors.**', against order dated 23.03.2026 of this Court, which was disposed of *vide* order dated 23.04.2026 by the learned Division Bench modifying the said order to the extent that no Governing Council member shall be further appointed by the appellant and the order dated 23.03.2026 would remain stayed till the injunction application is decided by this Court. The said order dated 23.04.2026 reads thus:-

“CM APPL. 27013-14/2026 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. Applications stand disposed of.

FAO(OS) 54/2026 & CM APPL. 27011/2026

3. Learned counsel for the appellant states that the reply and the written statement have already been filed before the learned Single Judge on 21.04.2026. A hard copy of the same is also provided to the respondents in Court today.
4. Learned counsel for the respondents prays for and is granted five days' time to file a response to the aforesaid reply.
5. It is submitted by learned counsel for the appellant that the cost imposed by the Registrar shall be paid during the course of the day.
6. Both the parties further agree to argue the matter before the learned



Single Judge on 30.04.2026. The learned Single Judge is requested to proceed and decide the matter as expeditiously as possible.

7. It is also directed that till the injunction application is decided by the learned Single Judge, no Governing Council Members shall be further appointed by the appellants and the order dated 23.03.2026 shall remain stayed.

8. With the aforesaid observations, the appeal along with pending applications stands disposed of.”

11. It is apparent from the aforesaid order that the restrictions on the meeting of the Governing Council was modified to the extent that no Governing Council members shall be further appointed by the defendant no.2/NAREDCO.

12. It is in the aforesaid context that the agenda item nos.28.1 and 28.4 have to be considered.

13. In that view of the matter, it is clear that the defendant no.2/NAREDCO can proceed with the AGM in terms of agenda item no.28.1 except to not take decisions which may be prejudicial to the interests of the plaintiffs covered by the order dated 23.04.2026 passed by the learned Division Bench. Ordered accordingly.

14. So far as agenda item no.28.4 is concerned, the bar of further appointing any Governing Council member has been directed by the learned Division Bench in the order dated 23.04.2026 and hence, this Court in such circumstances cannot permit addition of any Governing Council member in terms of Rule 5 of the Rules and Regulation of the defendant no.2/NAREDCO. In this context, it may be appropriate for the defendant no.2/NAREDCO to approach the learned Division Bench to seek modification/clarification of the order dated 23.04.2026. However, in respect of any other proposal other than the addition of new Governing



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Council members covered under agenda item no.28.4 is concerned, it does not appear that there is any proscription against defendant no.2/NAREDCO from proceeding with the same.

15. In view of the above, the application to the extent allowed, stands disposed of.

CS(OS) 881/2025

16. List on 01.12.2026.

**TUSHAR RAO GEDELA
(JUDGE)**

SEPTEMBER 29, 2026

kct/rl