



2025:DHC:10543



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

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Date of Decision: 27.11.2025

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CM(M) 2299/2025, CM APPL. 74596/2025 & 74597/2025**THE PRESIDENT INDIAN ASSOCIATION OF PRIVATE
PSYCHIATRY AND ORS**PetitionersThrough: Mr. Rajshekhar Rao, Senior Advocate
with Mr. Shreeyash V. Lalit, Ms.
Ishita Khurana, Mr. Himanshu Vats,
Advocates

versus

DR GOUTAM SAHA AND ORSRespondentsThrough: Mr. Siddhartha Banerjee, Mr. Rajib
Mullick, Mr. Abhishek Barman Das,
Advocates**CORAM: JUSTICE GIRISH KATHPALIA****ORDER (ORAL)**

1. Petitioners have assailed order dated 15.09.2025 of the learned trial court, whereby in the application under Order XXXIX Rule 1 & 2 CPC, an ad-interim ex-parte injunction was allowed. At the outset, learned senior counsel for petitioners in all fairness admits that the present petition would not be maintainable. However, learned senior counsel for petitioners submits that the application under Order XXXIX Rule 4 CPC filed by the petitioners has been adjourned to 14.01.2026, which is highly prejudicial to the petitioners. That being so, learned senior counsel for petitioners submits



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that this petition can be disposed of only by directing the trial court to prepone the hearing of application under Order XXXIX Rule 1 & 2 CPC as well as the application under Order XXXIX Rule 4 CPC.

2. Learned counsel appearing for respondents on advance intimation strongly opposes the petition, disclosing that on same cause of action, some of the present petitioners have already filed a writ petition before the High Court of Karnataka. Besides, it is submitted by learned counsel that since the application under Order XXXIX Rule 2A CPC also has been filed against the contempt committed by the present petitioners as regards order dated 15.09.2025, it is that application which should be considered first. Further, it is contended by learned counsel for respondents that the petitioners even at present intend to again commit contempt by calling a meeting tomorrow itself.

3. After part submissions, both sides request for a consent order directing the learned trial court to prepone the hearing dated 14.01.2026 and decide all pending applications.

4. Accordingly, with consent of both sides, the present petition and the accompanying applications are disposed of with a request to the learned trial court to prepone the hearing dated 14.01.2026. For compliance, copy of this order be sent to the learned trial court forthwith.

**GIRISH KATHPALIA
(JUDGE)**

NOVEMBER 27, 2025/as