

\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO No. 580/2018 and CM Nos. 54924/2018, 54925/2018 & 54926/2018**

DELHI & DISTRICT CRICKET ASSOCIATION Appellant
Through: Mr Sandeep Sethi, Senior Advocate
with Mr Tejveer Singh Bhatia, Mr
Rohan Swarup, Mr Kunal Vats and
Mr Saarthak Khanna, Advocates.
Versus

VINOD TIHARA & ORS. Respondents
Through:

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **29.12.2018**

1. The appellant has filed the present appeal impugning an order dated 27.12.2018 passed by the Additional Sessions Judge, Tis Hazari Courts directing the appellant to maintain the *status quo* in respect of the show cause notice dated 20.12.2018 and 21.12.2018 as well as the Special Meeting of Board of Directors proposed to be held on 29.12.2018.
2. It is seen from the order that this is an *ad interim* order and the application under Order XXXIX Rule 1 and 2 CPC has now been placed for hearing before the Court on 04.01.2019.
3. The appellant had issued a show cause notice and had convened a meeting in order to take a disciplinary action against the respondent no.1 and to consider removing him from the membership of the appellant Association.

4. It is apparent from the above that there is no grave urgency for the appellant to have moved to this Court during vacations. This Court is refraining from making any observations on the merits of the matter since, the trial Court has already listed the interim application on 04.01.2019. Plainly, no irreparable loss or irretrievable damage would be caused to the appellant by the impugned order.

5. The appellant may hold the meeting as scheduled. However, no business will be transacted in the said meeting and the same would be adjourned for any date after 04.01.2019. It is clarified that the appellant would not be required to issue a fresh show cause notice or a fresh notice for the meeting as re-scheduled.

6. It is expected that learned Trial Court shall consider the rival and if the Court is of the view that the *ad interim* order is to be extended, the Trial Court shall briefly indicate the reasons for the same.

7. The appeal is disposed of with the aforesaid observations leaving it open for the appellant to urge all contentions before the Trial Court on 04.01.2019.

8. All pending applications are also disposed of.

9. Order *dasti* under signature of Court Master.

VIBHU BAKHRU, J

DECEMBER 29, 2018
RK