



2026:AHC:24332-DB

Reserved on 27.01.2026
Delivered on 04.02.2026

HIGH COURT OF JUDICATURE AT ALLAHABAD

SPECIAL APPEAL No. - 1137 of 2025

Board of ManagementAppellant(s)
and another

Versus

State of U.P. and 5Respondents(s)
others

Counsel for Petitioners(s) : Ashok Khare, Sr. Advocate, Raj
Kumar Mishra

Counsel for Respondent(s) : Meenakshi Singh, A.C.S.C.,
Vishakha Pande, Vishal Talwar,
Zeeshan Khan, Kaleem Akhtar, Ali
Bin Sair, Saeed Masroor, Mohd.
Aadil Siddiqui

With

Special Appeal No. - 1196 of 2025

Balwant EducationalAppellant(s)
Society, Agra and
another

Versus

State of U.P. and 3Respondents(s)
others

Counsel for Petitioners(s) : Ashok Khare, Sr. Advocate, Raj
Kumar Mishra

Counsel for Respondent(s) : Meenakshi Singh, A.C.S.C.,
Vishakha Pande, Vishal Talwar,

Zeeshan Khan, Kaleem Akhtar, Ali
Bin Sair, Saeed Masroor, Mohd.
Adil Siddiqui

Chief Justice's Court

**HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.**

(Per: Kshitij Shailendra, J)

1. These two intra court appeals are directed against final order dated 06.11.2025, whereby the learned Single Judge has disposed of four writ petitions, however, challenge in Special Appeal No. 1137 of 2025 is in relation to disposal of Writ-C No. 18418 of 2023 (Balwant Educational Society and others Vs. State of U.P. and others), whereas challenge in the connected Special Appeal No. 1196 of 2025 relates to disposal of Writ-C No. 49372 of 2013 (Balwant Educational Society and others Vs. State of U.P. and others).

2. Whereas Writ-C No. 49372 of 2013 has been dismissed as infructuous, directions have been issued while deciding Writ-C No. 18418 of 2023. During the course of arguments, learned counsel for the parties had addressed the Court qua controversy involved only in Writ-C No. 18418 of 2023 and, therefore, Special Appeal No. 1137 of 2025 shall be treated as leading case. Even otherwise, dismissal of Writ-C No. 49372 of 2013 as infructuous does not have much bearing on the controversy involved in the matter.

3. Learned Single Judge, by the order impugned, has issued various directions in relation to not only the office bearership of Balwant Educational Society ('the Society') but also qua other aspects, which shall be dealt with hereinlater. Needless to mention that the primary dispute involved in the matter is in between two cousin brothers, namely, Anirudh Pal Singh (in short 'APS') representing the appellant side and Jitendra Pal Singh (in short 'JPS') representing the contesting respondent side.

4. Writ-C No. 18418 of 2023 was filed in the name of the Society through the respondent side herein, led by JPS and by JPS in his individual capacity, raising a challenge to orders dated 02.12.2022 and 20.02.2023 whereby the District and Sessions Judge, Agra, in the capacity of President of the Society as per the Bye-laws, had permitted APS to participate in the meetings to be held on 17.12.2022 and 12.03.2023 respectively, by indicating him as Vice President of the Managing Committee. The grievance raised by the writ petitioners was that APS was not the Vice President of the Managing Committee and, therefore, indication made in the orders which were infact endorsed in the margin of the applications filed by alleged Secretary Ambrish Pal Singh, was being treated by APS as his identity/recognition in the capacity of Vice President which status he does not possess in view of certain litigation referred to in the writ petition and, therefore, prayer was made to set aside the orders.

5. The writ court, having considered the submissions made on behalf of JPS, passed following interim order on 25.07.2023:-

“1. Heard Sri Amit Saxena, learned Senior Counsel assisted by Sri Suhail Ahmad Ansari, learned counsel for the petitioners and learned Standing Counsel for the State-respondent nos.1 and 5.

2. It has been stated by Sri Ashish Mishra, learned counsel that notice of this writ petition has wrongly been served upon him and he does not represent respondent no.2, who has been impleaded in the capacity of President of Balwant Educational Society, Agra. Appearance of Sri Mishra is therefore exempted from further proceedings in this case.

3. The submission of Sri Saxena is to the effect that as per the bye-laws of the Society, District and Sessions Judge, Agra is its ex officio President and Raja of Awagarh as Vice President. He submits that after the merger of the State in the Indian Union and thereafter with the declaration of Republic of India under its Constitution, Rajas ceased to exist and, therefore, under the Rules of the Society, the eldest male member of the family of Raja Balwant Singh was to act as Vice-President and the said system was followed years after years.

4. He submits that insofar as the amendment in the bye-laws is concerned, it is clearly provided in Clause 16 that no resolution amending the bye-laws shall take effect till it is approved by the Government of U.P. Reference to various proceedings has been made including an order dated 28.03.2019 passed in Civil Misc. Writ Petition No.53773 of 2000. In the said writ petition challenge was made to rejection of approval by the

State Government to the amendment made in the bye-laws, however, this Court, while dismissing the writ petition on 25.08.2011, clearly found that the order impugned was in consonance with Clause 16 of the memorandum. A special appeal was filed against the said order which was ultimately dismissed as withdrawn in the year 2016.

5. In the meantime, the petitioner no.2 was nominated as Vice-President under the order of the District Judge passed on 30.08.2011. It is contended that thereafter list of office bearers produced by the respondent side was finally approved by the Deputy Registrar, Agra against which two writ petitions were filed i.e. Writ - C No.55196 of 2016 and Writ - C No.10388 of 2019.

6. In both the writ petitions, the orders passed by the Deputy Registrar were stayed.

7. It is contended that both the writ petitions are pending and this Court has also taken cognizance of violation of interim orders in contempt proceedings covered by Contempt Application (Civil) No.6324 of 2019 with a further submission that Deputy Registrar, Agra clearly communicated on 05.04.2022 that in his office there is no approved list of the Committee/Society.

8. It is contended that the District Judge, Agra has passed the orders impugned dated 02.12.2022 and 20.02.2023 permitting the respondent no.4 to preside the meeting of the Society in the capacity of Vice President merely by accepting the request made by the said respondent.

9. It is further contended that though there was no justification for the District Judge, Agra to issue such orders on mere asking by the respondent no.4, the said respondent, at the strength of the same is acting as Vice-President of the Society which act on his part is contrary to the final and interim decisions taken by this Court in the above referred proceedings.

10. There being no dispute about the fact that the District Judge, Agra acts as President of the Society, considering the above arguments advanced, various interim and final orders passed by this Court in consonance with Clause 16 of the memorandum, the matter requires consideration.

11. Issue notice to respondent nos.2, 3 and 4, returnable within four weeks.

12. Respondents may file counter affidavits within six weeks. Rejoinder affidavit, if any, may be filed within two weeks, thereafter.

13. List on 20.09.2023 along with Writ - C No.55196 of 2016 and Writ - C No.10388 of 2019 before the appropriate Bench.

14. As an interim measure, until further orders, it is directed that the District Judge, Agra shall exercise his control over the office of the Society in the capacity of President as per the bye-laws and the respondent no.4 shall not be allowed to function as Vice President.”

6. Apparently, the writ court, as an interim measure, issued a direction that the District Judge, Agra would exercise his control over the office of the Society in the capacity of President as per the Bye-laws and the respondent no. 4 in the writ petition (i.e. APS) (appellant no. 2 herein) shall not be allowed to function as Vice President. The writ court also connected the matter along with two other writ petitions, which have also been decided by the order impugned in this appeal, however, we are not concerned with the said two writ petitions as the two special appeals under our consideration do not arise from those two petitions.

7. After exchange of affidavits, whereas Writ-C No. 49372 of 2013 has been dismissed as having become infructuous by efflux of time, Writ-C No. 18418 of 2023 has been disposed of with the following directions:-

“48. On the basis of above discussion, conclusion and directions are summarized hereinafter -:

(i) Presently, there is no title such as 'Raja of Awagarh Estate', therefore, either of Aniruddh Pal Singh and Jitendra Pal Singh, cannot claim as a right a Member of Board of Management being 'Raja of Awagarh Estate' and accordingly either of them cannot claim as a right of 'Vice Presidentship' of the Board also.

(ii) Undisputedly, 'Balwant Educational Society' was formed from a trust formed by Late Raja Balwant Singh of Awagarh in 1901, therefore, to continue their legacy, one member of their family despite no one is 'Raja Awagarh Estate' still become a Member of the Board and Vice President of the Board.

(iii) It would always be better and in the interest of Trust and Society as well as of legacy, if both brother may take a considered and unanimous decision and manner to represent from the family in Board and to act as Vice President but due to long litigation and their estranged relation as shown in Court room, possibility of any agreed decision is very less.

(iv) Therefore, Court is proposing a solution which would be in the interest of the Board, family, legacy and longer participation that all brothers in an order from eldest to youngest (on basis of date of birth) may become Member and Vice President for equal duration, during a term of 5 years i.e. if they are two brothers, they may become Vice President for 2½ years each. Elder son in first half and younger son in second half.

(v) Above arrangement shall come into force w.e.f. 01.12.2025 and accordingly, eldest brother Sri Jitendra Pal Singh will discharge responsibility of Member and Vice President for first 2½ and for remaining period of 2½ years, Aniruddh Pal Singh (younger brother) will discharge responsibility.

(vi) Any arrangement that eldest son (being only eldest son of eldest son of earlier generation would be Vice President) is not supported by any provision and if it was a custom, it would not continue in changed scenario that now there is no 'Raja'.

(vii) Further procedure for completion of Board shall commence independently thereafter, so that new list of members of Board of Management of Committee be forwarded before 01.01.2026 to Registrar concerned.

(viii) Directions made in paragraph 46 shall also be complied with before 01.01.2026.

49. With the aforesaid observations and directions, this writ petition is disposed of."

8. In Special Appeal No. 1137 of 2025, an interim order was passed on 26.11.2025 staying operation of the order of the learned Single Judge and, on the same lines on which the writ court had initially granted interim order, interim arrangement was made, as under:-

"In the meanwhile and till further orders, the operation of the impugned order shall remain stayed and as directed during the pendency of the writ petition, it is directed that the District Judge, Agra, who is indicated as President of the Society, shall exercise the powers of the office of the President of the Society in terms of the bylaws and the powers, during the pendency of the appeal, shall not be delegated to the Vice President."

9. The respondent JPS, being aggrieved of the interim order, filed Special Leave Petition before the Hon'ble Supreme Court. The SLP was disposed of by order dated 18.12.2025 whereby the Hon'ble Supreme Court declined to interfere with the interim order passed by this Court, however, required the Division Bench to make endeavour to expeditiously dispose of either the interim application or the main matter on the next date of hearing, i.e. on 13.01.2026.

10. In terms of the order of the Hon'ble Supreme Court, the matter was heard by us on 13.01.2026, however, hearing could not conclude and, therefore, the case was adjourned fixing 27.01.2026, on which date, final arguments were heard. In the meantime, counter and rejoinder affidavits between the parties were also exchanged and the same are on record.

11. We have heard Shri Ashok Khare, learned Senior Counsel, assisted by Shri Raj Kumar Mishra, appearing for the appellants, Ms. Meenakshi Singh, learned Additional Chief Standing Counsel appearing for respondent no. 1 and Mohd. Aadil Siddiqui along with Shri Zeeshan Khan, Shri Kaleem Akhtar, Shri Ali Bin Sair and Shri Saeed Masroor, learned counsel appearing for respondents no. 5 and 6.

12. Shri Ashok Khare, learned Senior Counsel, appearing for the appellants has made following submissions:-

(i) The order passed by the learned Single Judge is beyond the scope of the writ petition, which was confined only qua the permission granted by the District Judge in the capacity of President of the Society, for participation of the appellant no. 2 in the meetings of the Board of Management to be held on 17.12.2022 and 12.03.2023 and, therefore, any adjudication made beyond the scope of the writ petition cannot be sustained.

(ii) The writ petition, on the very date of its filing, was infructuous, inasmuch as even before filing the petition, the aforesaid meetings had already been held and, hence, neither there was any scope for grant of any interim relief in an infructuous petition nor the learned Single Judge, while deciding the writ petition finally, could issue directions of above nature, as the same were not warranted.

(iii) The Society was registered on 12.04.1960 under the provisions of the Societies Registration Act, 1860 ('the Act, 1860') and by a notification dated 18.05.1964 issued by the Government of U.P., certain modifications were made in the Scheme, however, Clause 7(ii) of the Scheme indicating that Raja of Awagarh for the time being shall be the Vice President, remained intact and, therefore, the appellant APS being Raja as per the stipulations contained in a registered Will dated 21.09.1901 and Codicil dated 31.05.1909 executed

by Raja Balwant Singh, would remain Vice President of the Society to the exclusion of all.

(iv) The objection raised by the respondents regarding status of the appellant APS as Vice President is unfounded, not only because APS is the eldest son in the hierarchy of the family of Raja, but also for the reason that he was elected as Vice President on 15.03.1981 vide Resolution No. 6 in the meeting of the Board of Management in place of Raj Kumar Dharampal, who had resigned from the membership and whose resignation had been accepted vide item No. 69 dated 30.11.1980 and, since then, APS is continuing as Vice President and no interference in such working either way can be allowed. The resolution dated 15.03.1981 was never questioned.

(v) The order impugned passed by the learned Single Judge records contradictory observations at various places wherein, at certain places it has been observed that both APS and JPS having not been able to take a unanimous decision to come forward and only one of them wants to become member of Board of Management, they are barred to interfere with the day-to-day working of the Board of Management and also from entering into the premises of the college, on the other hand, in the concluding para-48 of the order, the respondent JPS has been entrusted with responsibility of member and Vice President for first 2.5 years commencing w.e.f. 01.12.2025 and that for remaining 2.5 years, appellant APS has been permitted/directed to discharge such responsibility. Many other contradictions have also been pointed out in the order impugned.

13. Learned Additional Chief Standing Counsel has made submissions that though no counter affidavit was filed on behalf of the State before the writ court, an order dated 11.02.2022 passed by the Deputy Registrar

forming part of the writ petition as Annexure No. 20, indicates that no Managing Committee exists in the Society and another order was passed by the Deputy Registrar on 21.06.2025 contained in Annexure No. 1 to the supplementary counter affidavit filed by the contesting respondent before the writ court, wherein, after taking note of various matters pending before this Court, reference was made to an inquiry concluded at the level of the State Government indicating that the dispute of Vice Presidents in between APS and JPS can only be decided by the civil court. It is further contended that since complaints with regard to financial irregularities qua the affairs of the Society were also received, it was indicated in the order dated 21.06.2025 that disposal of such complaints would be made as per the provisions of the Act, 1860 through Auditor of the State Government and for that purpose, separate order shall be passed.

14. Learned counsel appearing for the private respondents has made following submissions:-

(i) The Will and Codicil executed by Raja Balwant Singh not being in dispute, since JPS was the eldest son in the hierarchy of the family as per family tree appended at page 720 of the paper book of the appeal, it would be he who, as Raja, is competent and entitled to hold the chair of Vice President in terms of the Bye-laws of the Society and, therefore, contrary claim set up by the appellant APS is unsustainable.

(ii) There being no provision for election of office bearers in absence of any amendment to that effect in the Bye-laws of the Society, passing of resolution in a meeting allegedly held on 15.03.1981 showing election of APS as Vice President is without any substance and, therefore, APS cannot at all be treated as Vice President.

(iii) The amendment in Clause 6(i)(b) of the Bye-laws in a meeting allegedly held by the appellants on 02.08.1981 making a provision for office of Vice President to be held by a member of family of late Raja Balwant Singh and elected by the Board of Management, is contrary to the stipulations made in Rule/Clause 16 of Memorandum of Association, which provides that no such resolution shall take effect until it is approved by the Government of U.P. and since there is no such approval granted to the alleged resolution relied on by the appellants, the very election of APS as Vice President is without any legal basis.

(iv) This Court, in its judgment passed in the case of **Dr. D.P.S. Bhati and another Vs. State of U.P. and others: 2011 (8) ADJ 633**, has interpreted Clause 16 of the Memorandum of Association holding that unless a resolution proposing amendment is approved by the State Government, the same would be of no effect and the said judgment having attained finality, the appellant APS cannot rely upon any such resolution or his election in the year 1981.

(v) The appellants illegally got their Managing Committee registered for the year 2016-17 under an order dated 19.10.2016 passed by the Deputy Registrar, which was challenged by the respondents by filing Writ-C No. 55196 of 2016 in which, by an interim order dated 22.11.2016, the operation of the order dated 19.10.2016 was stayed, however, the appellants continued to hold control over the affairs of the Society, whereupon Contempt Application (Civil) No. 6324 of 2019 was filed, which is still pending and, therefore, any claim made by the appellants qua the office bearership of the Society, being in teeth of the interim order passed by this Court, is unsustainable.

15. Responding to the above submissions, Shri Khare has made submissions in rejoinder that the interim order dated 22.11.2016 passed in Writ-C No. 55196 of 2016 itself made it clear that the same would not have any bearing so far as dispute of Committee of Management of college is concerned and, hence, if the appellant APS is exercising control over the Committee of Management of the Institutions run by the Society, there is no violation of the interim order passed by this Court. It is further submitted that since Writ-C No. 55196 of 2016 itself has been finally disposed of as having become infructuous, reliance placed on interim order, which has merged in the final order, is misconceived.

16. Though various submissions were made by learned counsel for the respondents on merits of claim of JPS qua office of Vice President, on a pointed query made by the Court as to whether he is satisfied with the directions issued by the learned Single Judge in the order impugned in these appeals, learned counsel submitted that since APS has no case at all on merits, any observation made by the learned Single Judge in his favour or permitting him to hold chair of Vice President even for a while, cannot be sustained and, therefore, the orders impugned in the writ petition should have been set aside by the learned Single Judge, as the appellant APS, at the strength of those orders, was claiming participation in the affairs of the management as Vice President.

17. We have considered the submissions made by learned counsel for the parties and have perused the material available on record.

18. There is no dispute about the fact that Writ-C No. 18418 of 2023 was filed on the date when meetings of the Board of Management proposed to be held, had already been held, however, apparently, the challenge was entertained by the writ court and interim order was passed on 25.07.2023, taking note of certain previously pending matters and for the reason that the permission granted to APS to participate in the meetings as Vice President, on mere asking by him, could be treated as conferment of status on APS as Vice President of the Society. In light of the same, the writ court, while passing the interim order in the writ

petition, and this Court also, while passing interim order in Special Appeal No. 1137 of 2025, directed the District Judge, Agra to exercise his control over the office of the Society in the capacity of President as per the Bye-laws, which status has not even been disputed by the respondents.

19. As to, then, what could be final decision in the writ petition in view of challenge laid to the orders endorsed on the applications moved by the appellants, as regards participation in the meetings to be held, which were already held, it is seen that the learned Single Judge entered into the dispute of Vice Presidentship and issued various directions qua arrangement and management of the affairs of the Society. The learned Single Judge appears to have taken lot of pains in persuading the parties, i.e. APS and JPS, to arrive at an amicable solution to the dispute, however, when the attempts in that direction failed, various observations were made by the learned Single Judge, which, being self contradictory in nature, need reproduction here.

20. In para-42 of the order impugned, learned Single Judge has observed as under:-

“42. In the aforesaid circumstances, since rival parties i.e. Anirudh Pal Singh and Sri Jitendra Pal Singh have not able to take a unanimous decision to come forward as one of them wants to become Member of Board of Management with mutual agreement, **they are barred to interfere in the day to day working of Board of Management and they are barred from entering into the premises of the College since it is only a case of ego, which has resulted in filing of number of litigations before this Court within last more than a decade.** No existence of tradition is brought on record that Vice President of Society would only be eldest son.”

21. Apparently, learned Single Judge restrained both APS and JPS from interfering in the day-to-day working of the Board of Management and also from entering into the premises of the College. Learned Single Judge also observed that no existence of tradition was brought on record that Vice President of the Society would be the eldest son. Just in contrast to the above restraint order, following direction has been issued in para-46 of the order impugned:-

“46. Sri Anirudh Pal Singh and Sri Jitendra Pal Singh are directed to pay Rs.2 lakhs each from their Bank Account in the bank account of Balwant Educational Society to show their bonafide and interest to carry forward their legacy.”

22. Further, while concluding the judgment, learned Single Judge authorised the respondent JPS holding him to be the elder brother, to discharge responsibility of member and Vice President for first 2.5 years commencing w.e.f. 01.12.2025 and the appellant APS as younger brother to discharge same responsibility for the remaining 2.5 years. As regards the arrangement regarding the eldest son of earlier generation as Vice President, following direction was issued in paragraph no. 48(vi) of the order impugned:-

“48(vi) Any arrangement that eldest son (being only eldest son of eldest son of earlier generation would be Vice President) is not supported by any provision and if it was a custom, it would not continue in changed scenario that now there is no ‘Raja’.”

23. Apparently, learned Single Judge, in order to resolve the dispute in the interest of trust, the society and also the legacy, made following observations in paragraph no. 48(iii) and (iv) of the order impugned:-

“48(iii) It would always be better and in the interest of Trust and Society as well as of legacy, if both brother may take a considered and unanimous decision and manner to represent from the family in Board and to act as Vice President but due to long litigation and their estranged relation as shown in Court room, possibility of any agreed decision is very less.

(iv) Therefore, Court is proposing a solution which would be in the interest of the Board, family, legacy and longer participation that all brothers in an order from eldest to youngest (on basis of date of birth) may become Member and Vice President for equal duration, during a term of 5 years i.e. if they are two brothers, they may become Vice President for 2½ years each. Elder son in first half and younger son in second half. ”

24. Considering the nature of dispute raised by the parties before the writ court, we are of the opinion that the dispute was qua management of the affairs of the Trust *vis-a-vis* Society *vis-a-vis* educational institutions, which was sought to be got resolved by the parties expecting findings and decision by the writ court in their favour. The claim was based upon either certain previous proceedings held before this Court or before the

authorities exercising power under the Act, 1860 or the U.P. Intermediate Education Act, 1921, stipulations made in the Will and the Codicil executed by Raja Balwant Singh, the provisions of the Bye-laws and the Memorandum of Association, Rules of the Society and the notification dated 16.05.1964 issued by the State Government indicating that the Trust, namely, Balwant Rajpoot High School Trust, Agra shall be administered by Balwant Educational Society and that the Treasurer, Charitable Endowment, U.P. shall remit the amount of interest on the vested funds belonging to the Trust to the Secretary of the Society who shall credit the same in an account in the State Bank of India, Agra Branch and shall draw money therefrom to give effect to the purpose of the Trust.

25. The aforesaid being the complicated nature of dispute and the adjudication sought to be got done by the parties through intervention by the writ court, we find that the learned Single Judge has, on his own, proposed a solution in the interest of the Board, family, legacy and longer participation of all brothers in an order from eldest to youngest on the basis of date of birth so as to become member and Vice President for equal durations and by issuing various other directions, which, in the opinion of the Court, was not warranted.

26. As a matter of fact, learned Single Judge has created a new state of affairs qua management of Trust/Society/educational institution, which was not contemplated or recognized under the bye-laws/rules of the Society/Trust. Even if attempt was made by the learned Single Judge to convince the parties to arrive at an amicable solution to the dispute between them, if the parties did not or could not arrive at such a solution, the learned Single Judge, in our opinion, could not have himself proceeded to frame or design a Scheme or state of affairs on his own in exercise of writ jurisdiction.

27. There being various disputed questions of fact, not only based upon the Will and Codicil executed by Raj Balwant Singh, interpretation of the stipulations made therein, dispute regarding date of birth indicated

in the family tree so as to contend that whether APS or JPS was elder in age or eldest in family, intervention of the State Government by issuance of notification in 1964, its power to approve amendment, if any, in the Rules, adoption of Will and Codicil executed by Raja Balwant Singh in Rule 9 of the Rules of the Society and the very fact that after independence in the year 1947, status of Raja itself stood abolished which could have its effect on the dispute of the present nature, the same could not and cannot be resolved in a proceeding under Article 226 of the Constitution of India.

28. In our considered opinion, for getting adjudication of rights that the contesting parties want in their favour, they are at liberty to take recourse to common law remedies available to them, either under the provisions of Code of Civil Procedure, 1908 or law relating to Trusts or civil suit of any nature as per the provisions of Specific Relief Act, 1963. Therefore, we are of the view that if the parties themselves, despite persuasion made by this Court, could not arrive at any amicable settlement to resolve the dispute, it was not open for the writ court to itself frame a Scheme or make an arrangement of the nature for which neither there was any prayer nor could such a scheme be framed nor could status of any party be declared under writ proceedings for any period whatsoever.

29. In view of the above discussion, we are of the considered opinion that the order of the learned Single Judge and the directions contained therein cannot be sustained and, therefore, both the appeals deserve to be allowed.

30. Accordingly, both the appeals are **allowed**.

31. The order impugned dated 06.11.2025 passed by learned Single Judge is hereby **set aside**. Both the writ petitions are dismissed as having become infructuous.

32. The parties are at liberty to get adjudication of their rights, title, interest and status in relation to office bearership or membership in the

Society/Trust/Educational Institutions run by the Trust in appropriate proceedings in accordance with law.

(Kshitij Shailendra, J) (Arun Bhansali, CJ)

February 4, 2026

AKShukla/-