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

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Date of Decision: 17.09.2026# **CNR No. DLHC010435152026**+ **LPA 725/2026 & CM APPL. 62381/2026**

UNION OF INDIA

.....Appellant

Through: Mr. Chetan Sharma, ASG along with
Ms. Radhika Bishwajit Dubey,
CGSC, Ms. Gurleen Kaur Waraich,
Mr. Kritarth Upadhyay, Mr. Saksham
Sharma, Mr. Amulya Dev Mishra,
Mr. Naman & Mr. Amit Gupta,
Advocates.

versus

COMMONWEALTH HUMAN RIGHTS INITIATIVE

.....Respondent

Through: Mr. C.U. Singh, Senior Advocate
along with Mr. Kabir Dixit, Ms.
Kimaya Jain & Ms. Vasudha Banka,
Advocates.

CORAM:**HON'BLE THE CHIEF JUSTICE****HON'BLE MR. JUSTICE TEJAS KARIA****DEVENDRA KUMAR UPADHYAYA, CJ (Oral)****CM APPL. 62382/2026 & CM APPL. 62384/2026 (Exemptions)**

1. Exemptions are allowed, subject to all just exceptions.
2. The Applications stand disposed of.



CM APPL. 62383/2026 (Condonation of Delay)

3. This is an Application filed under Section 151 of the Code of Civil Procedure, 1908 read with Section 5 of the Limitation Act, 1963 seeking condonation of delay of 61 days in filing the present Appeal.
4. Heard Mr. Chetan Sharma, learned ASG assisted by Ms. Radhika Bishwajit Dubey, learned CGSC representing the Appellant and Mr. C.U. Singh, learned Senior Advocate representing the Respondent.
5. Having regard to the contents of the Application seeking condonation of delay of 61 days in filing the Appeal, the delay of 61 days in filing the Appeal is hereby condoned and the Application is allowed.
6. The Application stands disposed of.

LPA 725/2026

7. This *intra court* Appeal seeks to take exception to an order dated 19.05.2026 (“**Impugned Order**”) passed by learned Single Judge on CM APPL. 33946/2026 in W.P.(C) 3248/2025 (“**Writ Petition**”) which was instituted by the Respondent against an order dated 12.09.2024 whereby the Certificate of Registration granted to the Respondent under the Foreign Contribution (Regulation) Act, 2010 has been cancelled.
8. The learned Single Judge by the Impugned Order has directed the Appellant to release a sum of ₹20,00,000/- from the reserve fund of the Respondent.
9. The learned Single Judge has also observed in the Impugned Order that the Respondent shall be entitled to disburse the amount towards various recurring expenses which may require under its operational arrangement.



Further, the condition imposed in the Impugned Order is that the Respondent will have to get the expenses authenticated by a Chartered Accountant and submit a certificate on the next date of hearing before the Court.

10. It has been argued on behalf of the Appellant that the Impugned Order, though disposes of CM APPL. 33946/2026, however, in absence of any notice having been issued on the said application, the Appellant was deprived of an opportunity to file objection / reply to the said application and, though oral arguments were permitted, however, learned Single Judge ought to have given the opportunity to file written objection to the said application.

11. Learned Counsel representing the Respondent, however, states that after the Impugned Order was passed, an application, namely, CM APPL. 42545/2026 was filed by the Appellant seeking recall of the Impugned Order. The said application was heard on 10.07.2026 by learned Single Judge wherein the Appellant was permitted to withdraw the said application with liberty to file appropriate application seeking appropriate relief in accordance with law including to vacate the interim order. The learned Single Judge granted the said liberty and disposed of the said application. After the order dated 10.07.2026, now the instant *intra court* Appeal has been preferred. Having considered the respective submissions made by learned Counsel for the Parties, we, at this juncture, need not go into the merits of the submissions.

12. For the reason that the Impugned Order is an interim order, vacation of which can very well be sought by the Appellant, it appears that it is in this background that the application seeking recall of the Impugned Order was



permitted to be withdrawn and liberty was sought to move an appropriate application.

13. In view of the aforesaid, we dispose of this Appeal with the liberty to the Appellant to move an appropriate application seeking vacation of the Impugned Order before learned Single Judge in the proceedings of W.P.(C) 3248/2025. The said application shall be moved by the Appellant within a week from today, reply / response whereof may be filed by the Respondent by the next date of listing.

14. We have been informed that Pleadings of the Writ Petition by the Parties are complete and the matter is listed on 30.09.2026.

15. We, thus, request learned Single Judge to expedite the proceedings of the Writ Petition and the application to be moved by the Appellant under this order and decide the same as early as possible. In case, it is not possible to hear the matter finally on 30.09.2026 by learned Single Judge, an endeavour shall be made to at least complete the hearing of the application to be moved by the Appellant under this order.

16. It is needless to say that Parties will be at liberty to press any other miscellaneous application(s) which may be pending before learned Single Judge. We also make it clear that our observations made in this order shall not be construed, in any manner, to be any reflection of this Court on the merits of the claim of the respective Parties. We further observe that all issues and grounds will be open to be pressed by the Parties including the ground in relation to maintainability of the Writ Petition.



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17. The Appeal stands disposed of in the aforesaid terms. Pending Application also stands disposed of.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

SEPTEMBER 17, 2026/ 'A'