

Court No. - 10

Case :- WRIT - C No. - 37926 of 2023

Petitioner :- Ramesh Kumar Gupta

Respondent :- State Of U.P. And 8 Others

Counsel for Petitioner :- Babu Lal Ram,Rachana Singh

Counsel for Respondent :- C.S.C.

Hon'ble Kshitij Shailendra,J.

1. Heard Sri Babu Lal Ram, learned counsel for the petitioner, learned Standing Counsel for respondent nos. 1 to 4 and perused the record.
2. In view of the nature of order proposed to be passed, it is not necessary to issue notice to respondent nos. 5 and 6.
3. It is contended that on account of sickness of the petitioner's counsel before the Prescribed Authority, written statement could not be filed and, therefore, the Prescribed Authority has, by order impugned dated 21.9.2023, closed the opportunity to file written statement.
4. Learned counsel for the petitioner points out that the petitioner has already filed an application dated 5.10.2023 requesting grant of time for filing objection/written statement and, therefore, the order impugned may be quashed.
5. Considering the fact that proceedings under Section 25 of the Societies Registration Act substantively decide the rights of the parties in relation to society dispute, the writ petition is **disposed of** directing respondent no.3 - Sub-Divisional Magistrate, Sadar, District Kanpur Nagar, to consider and decide the petitioner's application dated 5.10.2023 by the end of December, 2023, after providing due opportunity of hearing to both the parties, provided a certified copy of this order is filed before the respondent no.3 by the end of this Month.

Order Date :- 9.11.2023

CS/-