

Court No. - 1

Case :- SPECIAL APPEAL No. - 520 of 2023

Appellant :- Sunil Kumar Jhunjunwala And Others

Respondent :- State Of U.P. Thru. Secy. Deptt. Institutional Finance Civilsectt. Lko. And Others

Counsel for Appellant :- Vivek Kumar, Apoorva Tewari

Counsel for Respondent :- C.S.C., Raj Kumar Singh, Rajesh Kumar Singh

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Om Prakash Shukla, J.

1. Heard Shri Apoorva Tewari, learned counsel for the appellants, learned Standing Counsel representing the State-respondents and Shri Raj Kumar Singh along with Shri Rajesh Kumar Singh, learned counsel appearing on behalf of respondents no.3 and 4 respectively.

2. Having heard learned counsel for the parties at some length, parties have conceded that the matter may be remitted back to the Registrar/Deputy Registrar, Firms, Societies and Chits, Ayodhya Region, Ayodhya for consideration of the objections which shall be raised by the appellants against the order impugned dated 26.08.2023 and the controversy be taken to its logical conclusion.

3. Leaving the question open as to whether an appeal would lie arising out of the cause under section 4-A read with Rule 12 of the Societies Registration Rules, 1976, we deem it appropriate

to **dispose of** the present special appeal by permitting the appellants to file objections within a fortnight from today. In case any such objections are filed, the same shall be considered and decided in accordance with the pre-amended bye laws. The amendment made, if any, shall also be decided by taking into consideration the objections permitted to be filed which the parties have conceded to.

4. Ordered accordingly.

5. The impugned order is accordingly set aside as well as the order dated 26.08.2023 passed by the Deputy Registrar, Firms, Societies and Chits, Ayodhya Region, Ayodhya.

6. The parties shall appear and cooperate in the proceedings before the Deputy Registrar failing which the benefit of this order shall not be available and the writ Court order shall be treated as final on the legality of order dated 26.08.2023.

Order Date :- 16.11.2023

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