

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.2261 of 2015

Date of Decision.01.04.2015

Shri Sanatan Dharam Shiv Mandir Sabha (regd.)

.....Petitioner

Versus

State of Haryana and others

.....Respondents

Present: Mr. Vaibhav Prashar, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The petitioner is aggrieved that the District Registrar is not passing appropriate orders which the law enjoins under Section 53 of the Haryana Registration and Regulation of Societies Act, 2012. The petitioner claimed that elected representatives and previous incumbents had not handed over the records of the society. Section 53 empowers the Registrar to direct all the records and property of the society to be handed over to the governing body which is reconstituted at general meeting. The counsel refers to me Section 53(2) which states that District Registrar may take or cause to be taken such steps and also use minimum force including the police force as may be necessary. The petitioner's grievance is that one and half years have passed and still nothing has been brought on record. The District Registrar has merely passed order for production of records but he has not applied for police force or use such minimum force to recover the documents. Any order

of the Registrar is susceptible for an appeal and review in the manner contemplated under Section 79 of the Act. The counsel says that the power of the High Court under Article 227 would extend even to passing order to the District Registrar to issue appropriate direction. Under Article 227 as much as power as the High Court has, it will be used with utmost circumspection when there is appropriate remedy in an appeal before the Registrar. The petitioner will resort to an appeal under Section 79 before the Registrar and seek for appropriate direction pointing out Section 53(2) of the Act in the manner in which the petitioner wants to apply the provision.

2. The revision petition is disposed of with the liberty as aforesaid.

(K. KANNAN)
JUDGE

April 01, 2015
Pankaj*