

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No. 2088 of 2014
Date of decision: -21.8.2015

Lal Jeet Dubey

.....Petitioner.

vs.

Raunaq Education Foundation and anotherRespondents.

CORAM: - HON'BLE MR. JUSTICE KULDIP SINGH

Present: - Mr. B.R. Vohra, Advocate for the petitioner.

Mr. Raj Kuashik, Advocate for respondents.

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KULDIP SINGH, J. (Oral)

Impugned in the present revision petition is the order dated 21.2.2014 passed by learned Civil Judge (Junior Division), Ganaur vide which the application of the plaintiff under Order VI, Rule 16 CPC was dismissed as being not signed and verified by the competent person.

Learned counsel for the petitioner has argued that in this case the written statement was signed by Mr. Mahesh Chander Pandey, Bursar employed in Apollo International School run by the Raunaq Education Foundation-respondent No. 1, which is a society.

It has been argued by learned counsel for respondents that the resolution placed before the lower Court shows that Mahesh Chander Pandey was authorized to sign various applications, forms, legal documents relating to court cases on behalf of the society.

Learned counsel for the petitioner states that under Section 77 of the Societies Registration Act, 1860, the President, Secretary or any other office bearer authorized by the Governing Body may bring or defend any action or other legal proceedings.

I am of the view that in the present case, the suit is being defended by the Society, however, only Mahesh Chander Pandey was authorized to verify the pleadings. It does not mean that the suit is defended by the said person. The society is the defendant which is contesting the same. Therefore, there is no illegality or infirmity in the impugned order.

Dismissed.

(KULDIP SINGH)
JUDGE

21.8.2015
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