

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

CWP No.1864 of 2015

Date of Decision.04.02.2015

Jogi Ram and others

.....Petitioners

Versus

Registrar General of Societies and others

.....Respondents

Present: Mr. S.S. Dalal, Advocate
for the petitioners.

Mr. S.S. Narula, Advocate
for the respondent-caveator.

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. There is no scope for intervention at this time to stop an election of office bearers to a registered society at the instance of the petitioners. The petitioners would contend that the election of the collegium has been made in a manner which was not appropriate and an election dispute has been raised under Section 40 and there is a statutory mandate for the District Registrar to make a reference to the Registrar. Innocuous as the prayer seemed, I had called upon the counsel appearing on behalf of the Caveator to respond to the request and the counsel points out that the objections which the petitioners are now taking for the validity of the election of the collegium were already brought before the Registrar General of Societies in appeal and they have been considered and dealt with suitably. This order of the Registrar

General in appeal was passed before the election to the members of the collegium. The very same objections are brought after election is also done.

2. Learned counsel appearing on behalf of the petitioners would state that the order passed by the Registrar General before the election of the members of the collegium cannot defeat the petitioners' right to make an issue again with reference to the very same grounds after the election takes place. I will reject such an argument and I find it to be needless exercise. If in any event, after election of the office bearers through the collegium is made and the petitioners are aggrieved that there are any statutory deficiencies which would invalidate the election, the petitioners will not be barred by resorting to appropriate action for election dispute in the manner contemplated by law. As of now, I do not think that there is any need for making an intervention.

3. The writ petition is dismissed but with above observations.

(K. KANNAN)
JUDGE

February 04, 2015
Pankaj*