

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.9481 of 2015
Date of Decision: 13.10.2015

Bharat Singh Malik

. . . .Petitioner

Versus

Registrar General, Firms and Societies, Haryana and others

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.R. Kartikeya, Advocate,
for the petitioner.

Mr.Pradeep Prakash Chahar, DAG, Haryana.

Mr.Aman Pal, Advocate, Advocate,
for respondent No.3.

RAKESH KUMAR JAIN, J. (ORAL)

At the time of notice of motion on 19.5.2015, the
following order was passed by this Court: -

“A member of the respondent no.3-Society is seeking a Mandamus to the District Registrar/respondent no.2 for appointment of Administrator to manage the affairs of the society and for ensuring the conduct of the elections to the Collegium as also the governing body of the society in the light of the provisions of Section 39(10) of Haryana Registration and Regulation of Societies Act 2012 (for short the 2012 Act).

It is contended that the respondent no.3 society comprises of more than 300 members and, therefore, as per the provisions of the 2012 Act had elected a

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Collegium in light of Section 30 of 2012 Act whose tenure has ended on 20.02.2015. It is submitted that as per the Scheme of the Act, the tenure of the Collegium is three years who in turn elected the governing body. Since the term of the Collegium has expired and consequently the governing body/Managing Committee, the Sub Section 10 of Section 39 enjoins the District Registrar to appoint the Administrator on expiry of the life of the governing body of the society, which is co terminus with the life of Collegium.

The grievance is that the Managing committee on its own vide impugned resolution dated 21.12.2014 has extended its term beyond it's statutory life.

Notice of motion through dasti summons for 29.05.2015.

On the asking of the Bench, Mr. Shivendra Swaroop, AAG Haryana accepts notice on behalf of respondent nos.1 & 2.

Learned Counsel for the petitioner undertakes to supply adequate number of copies of writ petition to the State Counsel during the course of day.

To be shown in urgent.”

In response, learned counsel for the State has produced an order dated 29.7.2015 passed by the Principal Secretary to the Government of Haryana, Industries & Commerce Department in terms of which the SDO (Civil), Narwana has been appointed and taken over the charge of Administrator, Sanatan Dharam Shiksha Samiti, Narwana on 5.8.2015 (FN).

In view of the aforesaid, the grievance raised by the petitioner in the present petition is over.

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Learned counsel for respondent No.3 has rather prayed that since the Administrator has been appointed, he may be directed to conduct the elections of the Managing Committee of the Society as early as possible.

The writ petition is thus, disposed of having been rendered infructuous with a direction to the Administrator to conduct the elections of the Managing Committee of the society/respondent No.3 as early as possible, preferably within a period of three months.

13.10.2015

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**