

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(1) LPA No. 674 of 2012 (O&M)

Ram Bilas Singla

.... APPELLANT

Versus

Luxmi Kant Goyal and others

.... RESPONDENTS

(2) LPA No. 728 of 2012 (O&M)

Parkash Chand Gupta and others

.... APPELLANTS

Versus

Luxmi Kant Goyal and others

.... RESPONDENTS

DATE OF DECISION : 30.03.2015

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Gurminder Singh, Senior Advocate, with
Mr. R.P.S. Bara, Advocate,
for the appellants.

Mr. Pawan Kumar, Senior Advocate, with
Mr. Anshuman Mandhar, Advocate,
for respondent No.1.

* * *

SATISH KUMAR MITTAL, J. (Oral)

This order shall dispose of LPA Nos. 674 and 728 of 2012.

Both these appeals have been filed against the order dated 23.02.2012

passed by the learned Single Judge in CWP No. 19919 of 2010 filed by

Luxmi Kant Goyal (respondent No.1 herein), while observing as under :-

“While holding so, I hasten to add, that nothing said in the present case would be taken as an expression of opinion as to the induction of 177 temporary members. That issue is left open, to be decided in appropriate proceedings, if any. I should also not be taken to have put this Court's imprimatur on the manner in which the trial court proceeded to pass the order dated 29.9.2010 since the order has ceased to exist nor is under challenge. This Court was called upon only to examine the validity of the impugned order Annexure P-6.”

During the pendency of these appeals, the Haryana Registration and Regulation of Societies Act, 2012 has been notified. The rules, known as “The Haryana Registration and Regulation of Societies Rules, 2012” have also been framed. It is undisputed position that the present term of the governing body of Shri Vaish Sabha, Hansi, is going to expire on 11.10.2015. It has also been brought to the notice of this court that under the new Act of 2012 and the Rules framed thereunder, fresh voter list has been prepared, wherein names of almost all the appellants have been included. The said voter list has been placed on record as Annexure A-2. However, it is the grouse of the appellants that certain persons, who were not eligible to become members of the Society, have been included in the list as temporary members in violation of the constitution and Bye-laws of the Sabha.

In view of the aforesaid facts, learned counsel for the appellants states that the appellants may be granted liberty to challenge the inclusion of the ineligible persons in the voter list (Annexure A-2), by availing

appropriate remedy before the Registrar, Societies, in accordance with law.

In view of the above stated development, learned counsel for both the parties have no objection, if both these appeals are disposed of with the aforesaid liberty.

Ordered accordingly.

We hope that the Registrar, Societies, will consider and decide the objections filed by the appellants challenging the inclusion of certain persons in the voter list, in accordance with law, expeditiously well before the date of elections.

(SATISH KUMAR MITTAL)
JUDGE

March 30, 2015
ndj

(HARINDER SINGH SIDHU)
JUDGE