

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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COCP No. 2566 of 2016 (O&M)

Date of decision: 06.10.2016

Gaurav Gupta and others

...PETITIONERS

VS.

Parveen Kumar Garg and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rakesh Gupta, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court alleging violation of the order dated 14.09.2016 (Annexure P-1) passed by the District Registrar of Societies, Yamuna Nagar, Haryana.

It is the contention of the learned counsel for the petitioners that on 14.09.2016, the District Registrar of Societies, Yamuna Nagar appointed an Assistant Director as an Enquiry Officer to determine the list of eligible members and election was ordered to be kept in abeyance and further action to be taken after completion of enquiry. Counsel contends that this order was conveyed to the Presiding Officer but despite that, he had accepted the nomination papers and thereafter, kept the election process in abeyance, which, according to him, is violation of the order passed by the District Registrar of Societies. Counsel, thus, contends that the petitioners would virtually be not in a position to file their nomination papers, if

ultimately they are held eligible members of the Society.

I have considered the submissions made by the learned counsel for the petitioners and in my considered view, since only the nomination papers have been accepted and no further action has been taken by the respondents, it would not amount to violation of the order dated 14.09.2016. In case the result would have been declared or the elections would have been held, it would amount to violation of the order dated 14.09.2016 passed by the District Registrar of Societies, Yamuna Nagar. Since such a thing has not happened, the present would not be a case of contempt.

The present contempt petition, therefore, stands dismissed.

October 06, 2016
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No