

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

SURENDER KUMARPetitioner
Vs
ISHWAR SAINI AND OTHERSRespondents

[2]. It appears from the plaint that the election of The President, Vice President, General Secretary, Secretary and Treasurer has already been done in terms of Section 13(2) of the Haryana Registration and Regulation Societies Act, 2012 (for short 'the Act'). The other office bearers are to be nominated as per majority of the collegium i.e. simple majority. The said

compliance has not been done so far for which the suit for permanent injunction has been filed by the petitioners that till such compliance the Governing Body of the Society may not work.

[3]. It appears that virtually it is an implementation of memorandum of Society and as per Section 9 CPC suit is maintainable. The bar in respect of civil Court jurisdiction as per Section 89 of the Act would attract only in case of election dispute.

[4]. At the stage of proceedings under Order 7 Rule 11 CPC only the averments made in the plaint are to be seen. The argument with regard to the involvement of returning officer can be raked up by the petitioner at an appropriate stage. The averments made in the plaint are sufficient enough to discard the application of the defendant for rejection of the plaint at this stage.

[5]. In view of above, this revision petition is found to be totally bereft of merits and the same is accordingly dismissed.

September 07, 2017

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No