

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

(115)

CWP-2404-2017

Decided on: February 08, 2017.

Haryana Pal (Gadaria) Samaj

.... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Vivek Goyal, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

A Civil Court decree has been passed against the petitioner-Society in which a direction has been issued to enroll the plaintiffs as members of the Society by accepting the requisite subscription fee from them as provided in the Constitution/Memorandum of Association.

It appears that while executing the decree under Order 21 Rule 32 CPC, the order Annexure P-10 has been passed appointing the Administrator for the petitioner-Society with the approval of the Deputy Commissioner to manage the affairs and to conduct the election.

Learned counsel for the petitioner has contended that order Annexure P-10 is not pursuant to any order passed by any Court.

I have heard learned counsel for the petitioner and I am of the considered opinion that the alternative remedy is available with the petitioner under Section 79 of the Haryana Registration and Regulation of Societies Act, 2012. All the pleas of facts and law raised in the present petition can always be raised before the Appellate Authority exercising the powers under Section 79 of the said Act.

This petition is disposed of relegating the petitioner to the alternative remedy. It will always be open to the statutory Appellate Authority to pass any interim order in accordance with law.

(M.M.S. BEDI)
JUDGE

February 08, 2017
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No