

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

CWP No.5829 of 2017
Date of decision : 20.03.2017

Darshan Kumar Jain

...Petitioner

Versus

District Registrar of Societies and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. Gurminder Singh, Sr. Advocate with
Ms. Harpriya Khaneka, Advocate for the petitioner.

AMIT RAWAL, J. (Oral)

Against the election process, challenge here in this petition is that petitioner had taken the remedy of filing the election petition before the Registrar.

The apprehension of the petitioner is that there has been a deviation from the direction given in this Court vide order dated 20.12.2016 passed in CWP No.8260 of 2016 (Annexure P-6) and in that process, de novo election has been held whereas election was to be held from the stage when the matter was agitated in the aforementioned writ petition.

The petitioner no doubt had approached against the adoption of the corrupt practices under Sub-Section 4 of Section 39 of the Haryana Registration and Regulation of Societies Act, 2012. The petitioner could have availed the remedy of the election petition as election was over on

03.02.2017 and in this process, new elected Managing Committee is about to take over. The petitioner was candidate in the previous election process initiated by submitting the nomination.

Mr. Gurminder Singh, Sr. Advocate assisted by Ms. Harpriya Khaneka, Advocate submits that he will approach the aforementioned authorities within a period of three days along with interim stay, provided the authorities/concerned authorities takes up the application and decide the same within a period of another three days by issuing *dasti* process.

I have heard learned counsel for the petitioner and appraised the paper book and of the view that prayer made by Mr. Gurminder Singh, Sr. Advocate is fair and honest.

Accordingly, petitioner is relegated to avail the remedy of challenging the election petition along with interim stay. In case such application is filed within a period of three days from today, concerned authority shall consider the interim application by giving *dasti* notices and decide the same within another period of three days.

Writ petition stands disposed of in aforementioned terms.

A copy of this order be given under the signatures of Reader attached to this Court.

20.03.2017

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No