

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

**CWP No. 9585 of 2017**

**Date of decision : 28.07.2017**

Rakesh Gupta & ors.

....Petitioners

V/s

District Registrar of Firms & Societies, Sonapat & ors.

....Respondents

**BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. V.K. Jindal, Sr. Advocate with  
Ms. Janya Sirohi, Advocate for the petitioners.

Mr. Ankit Goel, Advocate for respondent no. 2.

Mr. Gaurav Jindal, Addl. A.G. Hry.

Mr. Gaurav Mohunta, Advocate for respondent no. 3.

**RAJAN GUPTA J.**

Present petition is directed against the order 27.11.2013 (Annexure P-6) passed by District Registrar Firms and Societies, Sonapat. Same has been assailed on the ground that order is non-speaking. No opportunity of hearing was afforded to the petitioner before passing the said order. Mr. Jindal has, thus, prayed that matter be remitted to the same authority for decision afresh after hearing the parties. This prayer is not opposed by counsel representing the respondents.

A perusal of the order shows that District Registrar has merely mentioned in the order that act of inducting new life members is not in consonance with the rules, regulation and procedure laid-down in the constitution. With this observation he disapproved the decision of the

Committee. The order is however, completely bereft of any reasoning. Neither provisions which are said to have been violated have been discussed nor there is any indication how the resolution is unsustainable. Besides, no opportunity of hearing appears to have been afforded to the effected parties.

Under the circumstances, order being cryptic and non-speaking needs to be set-aside. Ordered accordingly. Matter is remitted to same authority for decision afresh after affording opportunity of hearing to the effected parties.

CM No. 9871 of 2017 &  
CM No. 9283 of 2017

As the main case has been disposed of, no order is required to be passed in these applications.

July 28, 2017

*Ajay*

(RAJAN GUPTA)  
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No