

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

CWP-14443-2017 (O&M)
Date of decision : 14.08.2018

Deep Chand and others

...Petitioner(s)

Versus

Registrar General, Firms and Societies, Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. S.S. Dinarpur, Advocate for the petitioners.

Mr. S.K. Saini, AAG, Haryana.

Mr. Subhash Godara, Advocate,
for respondent No.4.

Mr. Aman Vashisth, Advocate,
for applicants/proposed respondent Nos.5 and 6.

JITENDRA CHAUHAN, J.

The petitioners, *inter alia*, seek quashing of order dated 21.09.2016 (Annexure P-14), passed by respondent No.2 and order dated 05.05.2017 (Annexure P-15), passed by respondent No.1, whereby respondent No.3 has been directed to take a decision with regard to approval of election of the petitioners held on 22.06.2016 as officers bearers of the Governing Body of the Committee.

It is submitted that the Governing body representing the petitioners was constituted after election on 22.06.2016 and an application was made on the same day to the District Registrar, Yamuna Nagar, for

approval. However, no conscious decision has been taken so far. It is further submitted that as per Section 33(5) of the Haryana Registration and Regulation of Societies Act, 2012 (for short, 'the Act'), if the order is not passed by the Deputy Registrar within one month from the date of application, it would be considered as deemed approval.

On the other hand, learned counsel for the applicant/proposed respondent Nos.5 and 6 has furnished a copy of letter stated to be issued from District Registrar to petitioner Nos.1 and 6 informing that the application filed by them has been returned in original for filing afresh online. Therefore, once the application filed by the petitioners on 22.06.2016 has been returned, the petitioners cannot claim deemed approval thereon.

However, it has been the constant stand of the petitioners that the said order was never communicated to them.

Heard.

Keeping in view the rival claims and assertions of the parties, the Court feels that to accord finality to the issue, it will be in the larger interest of the parties to settle the issue by holding a fresh election. Accordingly, the official respondents are directed to announce the schedule of the election as per procedure within one month from the date of receipt of a certified copy of this order and complete the election proceedings as per the Act.

With the above directions, the instant petition is hereby dismissed.

In view of the order passed, learned counsel for applicant/proposed respondent Nos.5 and 6 does not press CM-10684-CWP-2017, for impleadment. Accordingly, the same is dismissed as not pressed. Whereas, CM-13081-CWP-2017 is dismissed as having been rendered infructuous.

14.08.2018
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No