

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

CWP No. 18600 of 2018

Date of Decision: 30.07.2018

RAMESH KUMAR RELAN

....Petitioner

VS.

REGISTRAR, SOCIETIES HARYANA AND OTHERS.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.

Present: Mr. Harkesh Manuja, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner has prayed for issuance of a writ in the nature of mandamus directing respondent No. 2 to proceed against respondent No. 3 in terms of Sections 52 to 56 of the Haryana Registration and Regulation of Societies Act, 2012 (hereinafter referred to as 'the Act') on account of non-compliance of the directions dated 16.07.2014.

Learned counsel for the petitioner has submitted that the District Registrar Firms and Societies, Sonapat while passing order dated 16.07.2014 regarding the enrollment of members in the respondent No. 3 Society, dismissed the complaint but while sending a copy of the said order has observed thus “.....advised to submit the amended constitution as per new Societies Act, 2012 alongwith audited Balance Sheets for the last three years immediately.”

Taking a cue from the aforesaid order/advice, the petitioner is constantly making a representation for obtaining the audited balance sheets of the last three years.

After hearing learned counsel for the petitioner and taking into consideration the aforesaid facts and circumstances, I am of the considered

CWP No. 18600 of 2018

opinion that the present petition is not maintainable because there was no direction by the District Registrar, Firms & Societies, Sonapat to the President of the Society for submission of the amended constitution as per the Act. It was only an advice to get the existing Society registered under the Act alongwith audited balance sheets of the last three years.

Learned counsel for the petitioner has submitted that the Society has been re-registered under the provisions of Act *dehors* the audited balance sheets of the past three years. If that is so, this gives a separate cause of action to the petitioner to challenge the Registration of the Society under the Act, 2012 but so far as the present petition is concerned, it is not maintainable as no such direction can be issued.

Faced with these observations, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to take appropriate action in terms of the provisions of the Act and the Rules.

Dismissed as withdrawn.

Liberty granted.

July 30, 2018

Ess Kay

(RAKESH KUMAR JAIN)
JUDGE

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