

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

CWP No. 24269 of 2018

Date of Decision: 21.09.2018

***THE SHREE SANATAM DHARAM SABHA (REGD.) SHREE
RAGHUNATH MANDI, SECTOR - 15, PANCHKULA***

....Petitioner(s)

VS.

STATE OF HARYANA AND OTHERS

...Respondent(s)

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

Present: Mr. Amit Jhanji, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed for challenging the order dated 14.09.2018 passed by the District Registrar, Firm & Societies, Panchkula (respondent No. 2) by which he has allegedly directed the acceptance of the nomination papers of two candidates which were rejected on certain grounds.

Although, learned counsel for the petitioner has submitted that the said order is patently illegal and without jurisdiction but he has not denied that the said order is amenable to appeal in terms of Section 79 of the Haryana Registration and Regulation of Societies Act, 2012 (for short 'the Act').

Consequently, once the petitioner has the remedy of appeal, I would not entertain this petition for exercising the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

Faced with these observations, learned counsel for the petitioner has prayed for withdrawal of the present petition with liberty to file the appeal instead in terms of Section 79 of the Act and he has further prayed that in case such an appeal is filed, the appellate authority may be directed to

decide the same expeditiously, keeping in view the fact that the election process has already been started.

Keeping in view the aforesaid facts and circumstances, the present writ petition is dismissed as withdrawn. Liberty is granted to the petitioner to challenge the impugned order dated 14.09.2018 by way of an appeal in terms of Section 79 of the Act. In case, such an appeal is filed on 24.09.2018, alongwith an application for stay, the appellate authority i.e. State Registrar, Firms and Societies, Haryana shall immediately consider and decide the same within a period of one week.

September 21, 2018

Ess Kay

(RAKESH KUMAR JAIN)
JUDGE

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