

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 111 of 2019**

Pradeep Mishra (Pet Inperson) S/o Late Vaidyanath Mishra Aged About 39 Years R/o M I G-5, Badariya Vihar, Dr. Rajendra Prasad Ward, Amlidih, Raipur, District Raipur Chhattisgarh. Mo. No. 9229611792., District : Raipur, Chhattisgarh --- **Petitioner**

Versus

1. Dashrath Prasad Shukla S/o Late Ramhit Shukla Aged About 65 Years R/o Near Good Luck, Plastic Factory, Santoshi Nagar, Tikrapara, District Raipur Chhattisgarh.
2. Devmani Pandey S/o Shri Ramnihor Pandey Aged About 60 Years R/o Dattatray Mandir, Bramhpuri , Raipur, Tahsil & District Raipur Chhattisgarh.
3. Saryupari Brahman Sabha (Society Registered Under C G Society Registration Act), through Its Chairman , Address Sanjay Nagar, Indira Nagar, Mathpurena , Raipur, Tahsil And District Raipur Chhattisgarh.
4. State of Chhattisgarh through District Magistrate, Raipur Chhattisgarh. --- **Respondent**

For the petitioner : Pradeep Mishra in person

For the State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****25.02.2019**

1. This writ petition is filed by the petitioner being member of Saryupari Brahman Sabha which is a Society registered under the C.G. Society Registration Act.
2. It is contended that respondent no.3 Society had conducted election violating the bye-laws, neither the election date was notified nor the members were heard and thereafter after declaration of the result, respondent No.1 Dashrath Prasad Shukla became the president at the connivance of respondent no.2 Devmani Pandey. It is stated that on the

basis of such election, the respondents are trying to take forcible possession of the corpus of Saryupari Brahman Sabha.

3. The present petition is preferred by one of the member Pradeep Mishra. It is not a public interest litigation and the right which is agitated is a right in personam. Admittedly the petitioner cannot claim that he is in possession of the corpus of society and the property thereof. Therefore, the instant petition has no merit and is dismissed.
4. The petitioner shall have liberty to avail other remedy available to him under law.

Sd/-

GOUTAM BHADURI
JUDGE