

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 623 of 2020**

Chhattisgarh Prantiya Arya Pratinidhi Sabha Registration No. C. G. Rajya 420 Through President- Shri Avni Bhushan Purang S/o Shri Devidayal Purang, Aged About 68 Years R/o Nehru Nagar (West), 30/6, Bhilai, Tahsil And District Durg Chhattisgarh,

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Firms And Societies Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh,
2. The Assistant Registrar Firms And Societies Department, Atal Nagar, Raipur District Raipur Chhattisgarh,
3. The Regional Transport Officer-Cum-Deputy Collector Durg District Durg Chhattisgarh,
4. Anushudev Arya S/o Shri Dhansai Aged About 41 Years R/o Karmu Colony, Pathalgaon, District Jashpur Chhattisgarh,

----Respondents

For Petitioner	: Shri Mayank Chandrakar, Adv.
For State	: Shri V. R. Tiwari, Addl. A.G. with Shri Ashutosh Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13/02/2020**

1. The challenge in the present writ petition is to the order dated 17.01.2020 passed by the Assistant Registrar confirming the earlier order dt. 15.01.2020.
2. The contention of the petitioner is that the said order passed by the Assistant Registrar is per se illegal for the reason that the Assistant Registrar has not appreciated any of the objections that the petitioner had raised, neither has the Assistant Registrar taken for discussion any of the objections raised by the petitioner and with malafides intention has passed the said impugned order in connivance with the respondent No. 4.

3. Perusal of the provisions of the Chhattisgarh Society Registration Adhiniyam, 1973 would show that the order passed by the Assistant Registrar is an appealable order and the appeal lies to the State Govt.
4. Given the facts that there is an alternative statutory remedy available to the petitioner, it would not be proper for the Writ Court to entertain the writ petition at this juncture. Reserving the right of the petitioner to approach the Appellate Authority and to prefer an appeal at the earliest, the writ petition at this stage stands disposed of.
5. That, subject to the petitioner preferring an appeal, the Appellate Authority is expected to consider and discuss the grounds that the petitioner shall raise in his appeal challenging the impugned order and the merits of the case and pass a reasoned and speaking order including the ground of the finding given by the Enquiry Officer and the by laws of the society.

Sd/-

(P. Sam Koshy)
Judge