

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 7799 of 2020 (O&M)

Date of decision : 8.6.2020

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Yogesh Sharma and others

.....Petitioners

vs.

State of Haryana and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Shiv Kumar, Advocate
for the petitioners.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Petitioners – Yogesh Sharma and 7 others have brought the instant writ petition against the State of Haryana through its Secretary to Govt. Haryana, Department of Industries, Haryana Civil Secretariat, Chandigarh, Registrar General of Societies, Haryana, Department of Industries and Commerce, Haryana, Chandigarh, District Registrar of Societies, Faridabad – respondents No. 1 to 3 and others, feeling aggrieved by order dated 27.5.2020, passed by District Registrar of Societies, Faridabad – respondent No. 3, vide which he had ordered constitution of a new Adhoc Committee of the Society to manage the day to day affairs of the Society and to conduct the election of the Governing Body of the Society within 2 months.

According to the petitioners, the order has been passed without

taking into consideration the peculiar situation in the country due to COVID-19, without serving any show cause notice and without granting an opportunity of hearing to the petitioners.

I have heard learned counsel for the petitioners besides going through the record.

Admittedly, Section 79 of the Haryana Registration and Regulation of the Societies Act, 2012, (hereinafter to be referred as 'the Act') provides for filing of an appeal to the Registrar against any order passed by the District Registrar, clarifying that the appeal against the order passed by the Registrar will lie with the Registrar General and that the order passed by Registrar General shall be final.

The proper and efficacious remedy for the petitioners is to approach the said authority i.e. Registrar, taking all the pleas and grounds, rather than straightway coming to this Court by filing a writ petition. Accordingly, the present writ petition is disposed of, relegating the petitioners to avail of the said remedy.

However, if the petitioners still feel aggrieved by the order passed by the Registrar, under the Act, then they may take recourse of other legal remedy available to them under the law, including approaching this Court.

8.6.2020

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**(H.S. Madaan)
Judge**

Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No