

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

CWP-9871-2019

Date of Decision: February 18, 2020

INDIAN EX SERVICEMEN MOVEMENT (IESM) Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Ms. Suman Bishnoi, Advocate for
Mr. ADS Jattana, Advocate
for the petitioner.

Mr. Rohit Arya, A.A.G., Haryana.

Mr. Vineet Soni, Advocate
for respondents no.4 to 9.

LISA GILL, J.(Oral)

This writ petition has been filed for setting aside order dated 12.03.2019 (Annexure P-10), with the specific contention that the impugned order dated 12.03.2019 is completely bereft of any reasoning and is a totally non-speaking order.

Heard learned counsel for the parties.

A perusal of the impugned order reveals that contents of the reply filed by the petitioner-society have doubtlessly been reproduced by the learned State Registrar of Societies, Haryana but none of the submissions have been dealt with. The District Registrar of Firms & Societies, Gurugran vide order dated 30.11.2018 (Annexure P-7) had found the formation of the collegium and elections of adhoc Committee Members of the Governing Body to be in order. Objections/representations filed by the different adhoc Committee Members was declined vide order dated 30.11.2018, which was subject matter of challenge raised by respondents

no.4 to 9, before the State Registrar of Societies, Haryana. Impugned order dated 12.03.2019 (Annexure P-10) was passed allowing the application filed by respondents no.4 to 9.

Learned counsel for the State has raised a specific objection that the impugned order dated 12.03.2019 is an appealable order in terms of Section 79(1) of the Haryana Registration and Regulation of Societies Act, 2012. However, learned counsel for respondents no.4 to 9 while acknowledging the right of appeal as per Section 79 of the above said Act, submits that in order to obviate any further delay in the matter, he has no objection in case the matter is remitted before the State Registrar of Societies for a decision afresh, after giving an opportunity of hearing to all the parties concerned.

Keeping in view the facts and circumstances as well as the specific stand of the parties, particularly respondents no.4 to 9, it is not considered expedient to relegate the petitioner to seek its remedy of appeal first. Order dated 12.03.2019, (Annexure P-10) is set aside and the matter is remitted to the State Registrar of Societies, Haryana, to be decided afresh, after affording proper opportunity of hearing to the parties concerned.

Parties to appear before the Registrar of Societies, Haryana on 05.03.2020. The matter be decided expeditiously, preferably within two months, thereafter.

Needless to say, there is no expression of opinion on the merits of the case.

Accordingly, this writ petition is disposed of.

18.02.2020

Sunil

**(LISA GILL)
JUDGE**

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No