

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-13058-2020 (O&M)

Date of Decision:- 28.8.2020

Mahabir Bhargav and another ... Petitioners

Versus

District Registrar and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Kaushik, Advocate, for the petitioners.

Mr. R.S.Budhwar, Addl. A.G. Haryana.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

The petitioners seek to challenge order dated 17.8.2020 (Annexure P-1) passed by the District Registrar, Firms and Societies Panipat (respondent No.1) whereby respondent No.1 has approved admission of 25 persons as “Life members of the society” i.e. respondent No.3.

It is not disputed that the aforesaid order is appealable. However, the learned counsel for the petitioners has submitted that the petitioners are unable to avail of the remedy of appeal as the appellate authority i.e. respondent No.2 is not hearing any appeals.

Mr. R.S.Budhwar, Addl. A.G. Haryana appearing on behalf of State upon whom an advance copy of the petition had already been served

has stated that although respondent No.2 was not hearing appeals earlier on account of the prevalent situation of spread of pandemic but as of now the office has started functioning and appeals are being entertained and heard.

Faced with the aforesaid position, learned counsel for the petitioners submits that he may be permitted to withdraw this petition with liberty to file an appeal before the appellate authority.

In view of the aforesaid submission, the petition is dismissed as withdrawn with liberty aforesaid. Needless to mention that in case any appeal is filed before the appellate authority in accordance with the rules, the same shall be entertained by the appellate authority and be disposed of expeditiously.

In case, any application for grant of any kind of stay is moved before the appellate authority along with the appeal, the same shall be disposed of at the earliest, preferably within a period of one week from filing of such application.

August 28, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No