

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

CWP-17565-2020

Date of Decision: 26.10.2020

JAGJIT SINGH

....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Jagjeet Beniwal, Advocate,
for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana

SANT PARKASH J.(Oral)

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

By way of filing the present writ petition, the petitioner has sought a writ in the nature of mandamus seeking direction to the respondents to start the election process of Jat Education Society, Hisar, of which, the petitioner is a member having membership No.1431 of respondent No.5. The tenure of the elected executive body of the Society has expired on 11.05.2020 and as per by-laws the executive body was duty bound to initiate the election process 45 days prior to the completion of tenure. However, on account of the lockdown, respondent No.2 vide its order dated 08.07.2020 ordered that the last elected governing body was allowed to function as Adhoc Committee of the society till the lockdown period was over.

The main grievance of the petitioner is that the Adhoc Committee, in violation of order dated 08.07.2020 (P-1), advertised the vacancies in the Society vide advertisement published in The Pioneer Newspaper on 02.10.2020 (P-2).

Notice of motion.

At this stage, Mr. Amit Aggarwal, DAG, Haryana accepts notice.

From the file, it is evidently crystal clear that the petitioner had made representation dated 29.09.2020 (P-3) to the Registrar, Firm and Societies for conducting the elections of respondent No.5-Society. Admittedly, no decision has been taken by the concerned authority.

Learned counsel for the petitioner submits that he would be satisfied, if direction is issued to respondents No.2 and 3 to decide representation (Annexure P-3) moved by the petitioner, in a time-bound manner.

Having heard learned counsel for the parties and after perusing the paper-book, but without commenting on merits of the case, instant petition is disposed of with a direction to respondents No.2 and 3, to decide representation (P-3) within a period of four weeks from the date of receipt of certified copy of this order. However, in the meantime, the adhoc committee would continue with the process of selection in view of advertisement (P-2) but the final result will not be declared.

October 26, 2020
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(SANT PARKASH)
JUDGE

whether speaking/reasoned: Yes/No

whether reportable: Yes/No