

CWP-72-2021

Date of decision: 06.01.2021

Vikas Goyal and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Vaibhav Narang, Advocate
for the petitioners.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Heard.

Notice of motion.

Mr. Gaurav Jindal, Addl.A.G., Haryana and Mr. Lokesh Sharma, Advocate put in appearance and accept notice on behalf of respondents No.1 to 3 and respondent No.4, respectively. Copy supplied.

The petitioners in all numbering 10, who claim to be members of Adhoc Committee Vaish Education Society (in short 'the society') have come up in this civil writ petition by virtue of Articles 226/227 of the Constitution of India for issuance of writ in the nature

of *certiorari* for quashing the order dated 22.12.2020 (Annexure P-16) passed by respondent No.3 whereby removing the returning officer so appointed by Adhoc-committee of the Society and in his place appointed respondent No.4 as the returning officer to conduct elections.

It is duly conceded by the two sides that the Society is governed by the Haryana Registration and Regulation of Societies Act (for short 'the Act') which provides, as per Section 79, remedy to challenge by way of appeal, before the State Registrar of Societies.

In light of these statutory provisions, the petitioners are relegated to the remedy of filing and availing of the said remedy before the appropriate authority and upon doing so, the concerned authority shall ensure that the same is disposed off within a period of one month of its filing, in accordance with law. Till then, the respondents would not be conducting the elections to the Society.

The petition stands disposed off accordingly.

06.01.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No