

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

CWP No.6528 of 2022 (O&M)

Date of Decision.31.03.2022

Mohinder Singh Tanwar and others

...Petitioners

Vs

State Registrar, Firm and Societies Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vivek Goyal, Advocate
for the petitioners.

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JAISHREE THAKUR J. (ORAL)

The limited prayer made in this writ petition filed under Article 226/227 of the Constitution of India is to seek a direction to be issued to the State Registrar, Firm and Societies to decide applications filed regarding maintainability of the appeal pending before him.

In brief, the facts are that complaints were filed with the District Registrar of Societies, Kurukshetra regarding certain irregularities in the conduct of the society known as Kshatriya Sabha, District Kurukshetra, which led to the District Registrar looking into the matter and holding that the Administrator should be appointed with immediate effect. Another order came to be passed on the same day itself whereby Mr. Narender Pal Malik, HCS, Sub Divisional Magistrate (C) Thanesar was appointed as an Administrator of Kshatriya Sabha, Kurukshetra under Section 39 (10) of the Haryana Registration and Regulation of Societies Act, 2012 for the sole purpose of conducting elections of the governing body within three months. The Administrator took over on 07.02.2022. The society through its President filed an appeal against both the orders passed i.e. the order whereby 1325 applicants were permitted to be accepted

as members of the Kshatriya Sabha and the appointment of the Administrator. In the appeal, the complainants, who had initiated the proceedings before the District Registrar of Societies filed applications for dismissal of the appeal purely on the ground of its maintainability. It is alleged that the State Registrar is proposing to decide the appeal itself without taking into account the applications regarding its maintainability and therefore, a limited prayer has been made that the applications qua maintainability of the appeal ought to be decided prior to deciding the main appeal itself.

Notice of motion to the official respondents only.

Mr Vishal Malik, DAG, Haryana, who is present in Court, accepts notice on behalf of the official respondents.

I have heard learned counsel for the parties and have perused the paper book. In view of the innocuous prayer made by the counsel appearing for the petitioners, this Court deems it appropriate to direct respondent No.1 to decide the applications (Annexures P-4 to P-7) qua maintainability of the appeal preferred by respondent No.4 before taking a decision on the main appeal itself, as expeditiously as possible, in accordance with law.

With the aforesaid observations, the instant petition stands allowed.

(JAISHREE THAKUR)
JUDGE

March 31, 2022
Pankaj*

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