

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

115

CWP-29536-2022

Date of decision: 21.12.2022

MALIBU CONDOMINIUM RESIDENT WELFARE ASSOCIATION

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Abhinav Sood, Advocate with
Mr. Dhruv Chowfla, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226 of the Constitution of India, 1950 seeking issuance of writ in the nature of Mandamus directing respondent No.3 i.e. State Registrar of Societies, Haryana to hear the appeal titled “*M.C Shrivastava, Secretary of Malibu Condominium Resident Welfare Association versus District Registrar Firms & Societies & Others.*” bearing Appeal No. 818 of 2020, which has been revived vide order dated 28.08.2022 in appeal No. 460/RGSH of 2002 (Annexure P-37).

Learned counsel appearing on behalf of the petitioner contends that the petitioner restricts his prayer only for a time bound adjudication of the appeal No.818 of 2020 which is now being revived by the order dated 28.08.2022 passed in Appeal No. 460/RGSH of 2002. He contends that the impugned order was passed on 31.12.2019

and that the proceedings have continued against the said order. The Registrar General has set aside the order passed by the State Registrar and remanded the case for fresh adjudication on merits after affording an opportunity to the respective parties.

Notice of motion.

Mr. Vivek Saini, Additional Advocate General, Haryana appears and accepts notice on behalf of respondents No.1 to 4.

Taking into consideration the order which this Court proposes to pass, effecting of service on respondent No.5 would not be necessary.

Learned Additional Advocate General has no objection to the aforesaid prayer being accepted.

Accordingly, the present petition is disposed of with the consent of the parties and without commenting on the merits of the present case with a direction to the respondent No. 3-State Registrar of Firms & Societies Haryana to pass reasoned and speaking order on the Appeal No.818 of 2020 within a period of 03 months of receipt of certified copy of this order after affording opportunity of hearing to the respective parties.

Petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 21, 2022

Vishal sharma

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