

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

113

CWP-15498-2023 (O&M).
Date of Decision: 18.08.2023.

RAMESH KATYAL

.. Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Sanjiv Kumar Aggarwal, Advocate,
Mr. Ojas Bansal, Advocate, and
Mr. Tejas Bansal, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the order dated 29.05.2023 (Annexure P-20) whereby on the application submitted by the petitioner under Section 54 (1) of the Haryana Registration and Regulations of Societies Act, 2012, the respondent No.3-the District Registrar, Firms and Societies, Ambala, has declined to conduct further enquiry on the ground that the petitioner is not recorded as a member of the Society.

Learned counsel appearing for the petitioner contends that the requirement of Section 54 of the Haryana Registration and Regulations of Societies Act, 2012, does not mandate that only the member of a Society could invoke the jurisdiction under Section 52 read with Section 54 of the Haryana Registration and Regulations of Societies Act, 2012. He, however, fairly concedes that there is a statutory remedy of appeal provided against the aforesaid order dated 29.05.2023 (Annexure P-20) passed by the

respondent No.3-the District Registrar, Firms and Societies, Ambala. He submits that since there is an inherent defect in the order passed, therefore, he has preferred to file the present writ petition.

I am afraid that the above aspect cannot be the sole ground to approach the High Court in a writ jurisdiction by by-passing the entire statutory scheme. It would thus be more appropriate that the petitioner takes recourse to the remedies available to him in accordance with law before approaching this Court in writ jurisdiction.

In view of above, counsel for the petitioner does not press the instant petition, at this stage, so as to enable the petitioner to take recourse to the statutory remedy of appeal available to him and to proceed in accordance with law.

Disposed of as not pressed with liberties as aforesaid.

August 18, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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