

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

237

CWP-24637-2021 (O&M)
Date of Decision: 23.11.2023

JAIDEEP MALIK AND OTHERS

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Ravinder Malik (Ravi), Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondents No.1 to 4, 10, 18, 20, 21 and 23.

Mr. Subhash Chand, Advocate for
Mr. Vaibhav Narang, Advocate
for respondent No.11.

Ms. Livleen Brar, Advocate for
Mr. Anil Mehta, Advocate
for respondents No.7, 12, 16 and 26.

None for remaining respondents.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the order dated 26.11.2021 (Annexure P-38) passed by respondent No.3 whereby the election of the petitioners as members of the Governing Body of the Hockey Haryana duly conducted on 06.12.2020 as per the provisions of the Haryana Registration and Regulation of Societies Act, 2012 has been ordered to be set aside in an illegal and arbitrary manner.

Notice of motion in the present petition was issued on 03.12.2021 and an interim order staying the operation of the order passed by the State Registrar, Societies was passed.

Counsel for the parties are *ad-idem* that the term of the Governing Body is to come to an end on 05.12.2023 and that the process of elections has already been initiated. The elections are scheduled to be held on 03.12.2023.

It is submitted that as the tenure of the Governing Body is coming to an end very soon, the issue for consideration in the present petition is only academic at this juncture. Hence, while keeping the said issue open, the present petition can be disposed of at this stage.

Taking into consideration the fact that the tenure of the Governing Body is going to expire very soon, and that the elections are required to be scheduled, the counsel for the parties submit that an independent observer may be appointed by this Court so as to oversee the process of the election and that the new Governing Body is elected as per the procedure.

The present petition is accordingly disposed of with the consent of the parties while affirming the interim order already passed on 03.12.2021.

Mr. Vineet Kumar Jakhar, Advocate (P/1665/2013 – M. No.97807-35249 is appointed as Observer to oversee the election to the Governing Body of the Hockey Haryana to be conducted on 03.12.2023 at Hockey Haryana Office, 2187, Arya Nagar, Sonapat, Haryana. Videography of the election process be also conducted by the Observer at the costs of the parties.

The Observer shall prepare a report about the conducting of elections, its videography as well as the objection(s), if any that may have been raised in relation to the elections of the Governing Body. Fee of the Observer is quantified as Rs.1,00,000/- to be paid by the petitioner. An additional amount of Rs.15,000/- towards the videography and the other incidental expenses shall also be paid to the Observer by the petitioner.

Petition stands disposed of accordingly.

All other misc. application(s), if any, also stand(s) disposed of accordingly.

NOVEMBER 23, 2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

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