

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

124

CWP-7492-2024

Date of Decision: 04.04.2024

SATBIR SINGH AND ANOTHER

... Petitioners

VERSUS

THE REGISTRAR GENERAL AND OTHERS

... Respondents

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

Present: Mr. Ashwani Bakshi, Advocate for the petitioners.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the impugned order dated 26.03.2024 (Annexure P-20) passed by respondent No.3- The District Registrar of Societies, Rohtak, Haryana.

Learned counsel for the petitioner contends that the petitioner had filed a petition under Section 39 of Haryana Registration and Regulation of Societies Act, 2012 against the wrongful inclusion/deletion of names of the Members of the Electoral College. He contends that notwithstanding the overwhelming evidence being available on record, the petition preferred by the petitioner was dismissed by the District Registrar of Societies by passing a sketchy and non-speaking order. Aggrieved thereof, an appeal has already been preferred by the petitioner before the State Registrar of Societies, however, the same has not been heard so far. He contends that the election of the collegium has already been held and that the election to the Governing Body is now scheduled to be held on 07.04.2024. He further submits that the State Registrar, Haryana has not yet fixed any date in the pending appeal and considering the urgency and exigency involved in the present case and keeping in view the

forthcoming elections of the Governing Body, the petitioner has approached this Court.

Undisputedly, the order under challenge before this Court is already a subject matter of challenge in the appeal pending before the State Registrar, Haryana and it would not be appropriate for this Court to conduct parallel proceedings while entertaining the present petition considering that the alternative remedy under the Statute has already been availed by the petitioner.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana accepts notice and contends that every effort shall be made for expeditious adjudication of the pending appeal including all consequential proceedings that may arise therefrom so that the rights of the contesting parties are not prejudiced.

In view of the above, the present petition is disposed of at this stage without commenting anything on the merits of the present case and with an expectation that the State Registrar, Haryana shall take an expeditious decision on the pending appeal preferred by the petitioner.

In the meanwhile, the result of the election to the collegium as well as to the Governing Body of the Society shall remain subject to the final outcome of the proceedings that are now pending consideration before the State Registrar of Societies, Haryana and may emanate consequentially.

Disposed of accordingly.

APRIL 04, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No