



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

110

CWP-10477-2024

Date of Decision: 19.07.2024

SETH KIRODIMAL CHARITY TRUST

..... Petitioner

VERSUS

STATE REGISTRAR OF SOCIETIES HARYANA AND OTHERS

.... Respondents

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

Present: Mr. Nipun Verma, Advocate
for the petitioner.

Mr. Vivek Saini, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents to decide the Appeal No. 109 of 2014 K.M. Shishu Vihar (Managing Committee) Bhiwani filed by Sh. Kali Charan under the Haryana Registration and Regulation of Societies Act, 2012 which is pending since 2014.

Learned counsel for the petitioner contends that K.M. Shishu Vihar Society was formed by Seth Kirodimal Charity Trust, Raigarh (Chhattisgarh) and registered under Societies Act, 1860. As per the bylaws of the Society the office bearer of the Society shall be appointed/nominated by Seth Kirodimal Charity Trust, Raigarh. Vide Resolution dated 08.04.2014,

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Sh. Rajesh Kumar Moda was empowered to get re-registration no. of the K.M. Shishu Vihar Society under the New Act i.e. Haryana Registration and Regulation of Societies Act, 2012. The District Registrar Firms and Societies, Bhiwani after completing all formalities re-registered the aforesaid Society/managing Committee and allotted new registration No. HR/013/2014/00720. That one Kalicharan Keshan made grouse against the re-registration under the Chairmanship of Rajesh Kumar Moda and his managing Committee and filed Appeal No. 109 of 2014 which is now pending before State Registrar of Societies, Haryana at Chandigarh since 2014 and is not being decided without any reason. The petitioner is suffering since long due to the appeal being not decided as there is no development in the Society.

Notice of motion restricted to only respondents No.1 and 2 at this stage.

Mr. Vivek Saini, Addl. A.G. Haryana appears and accepts notice on behalf of respondents No.1 and 2.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.1-the State Registrar of Societies, Haryana at Chandigarh is directed to consider and decide the Appeal No. 109 of 2014 (Annexure P-2) in a time bound manner.

Learned State Counsel on instructions from Ms. Sonam, Legal Asstt.



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from the office of District Registrar of Societies, Bhiwani does not oppose the prayer made by learned counsel for the petitioner.

Accordingly, in view of the above, with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.1-the State Registrar of Societies, Haryana at Chandigarh to consider and decide the Appeal No. 109 of 2014 (Annexure P-2) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months from the date of receipt of certified copy of this order.

Petition stands disposed of accordingly.

JULY 19, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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