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

**CWP-17280-2022
Date of Decision: 31.07.2024**

Sunita Devi

..... Petitioner

Versus

Chaudhary Ranbir Singh University Jind and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. J.P. Sharma, Advocate,
for the petitioner.

Mr. Jagbir Singh, Advocate,
for respondent No.1-University.

Mr. Amandeep Vashisth, Advocate,
for respondent No.2.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondent to issue a New User ID and Password of the College to the petitioner as the old ID and password is being misused and in this regard, a number of written representations have been sent to the respondent and no action has been taken by the respondent. One of the representations dated 05.01.2022 (Annexure P-1) is still pending and new session and admissions are ensuing and the petitioner, students and staff are suffering a lot due to misuse of the user ID and password.

2. Learned counsel for the petitioner submitted that in this case

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there is one Society i.e. Shiksha Bharti Shiksha Samiti, Village Sisoth, Tehsil and District Mohindergarh and the same was running a school in the name of Shiksha Bharti College of Education at Village Sisoth, District Mohindergarh. He further submitted that the husband of the petitioner, namely, Sita Ram was the President of the Society and was controlling the affairs of the Society but he passed away on 16.06.2021 during the Covid-19 period. He also submitted that thereafter, the petitioner being wife took over the management of the Society as President/Chairperson but the respondent-University has not given her the user ID and password of the College for admission purposes. He further submitted that the petitioner has filed a number of representations to the University that the ID was being operated by one Archana but now since the petitioner is the President, she does not wish that the aforesaid Archana to continue managing with the aforesaid process of admission by using the ID to be issued by respondent No.1-University but no action has been taken in this regard.

3. On the other hand, Mr. Jagbir Singh, learned counsel appearing on behalf of respondent No.1-University, while referring to Para Nos.3 & 4 of the reply submitted that it is a case wherein the husband of the petitioner was the President of the Society and on 05.01.2022, the petitioner had submitted an application to respondent No.1-University while mentioning that the President of the Society has expired on 16.06.2021 and one Archana Tanwar, who was working as an employee and looking after the accounts, wants to take over the administration of the College after the death of the President of the College and she has also misused the user ID and password of the College. Thereafter, on receiving of the aforesaid application and

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looking into the matter, respondent No.1-University found that it is a personal dispute between both the parties with regard to the management aspects of the College. Thereafter, the information was sought from the District Registrar of the Societies, Haryana with regard to the status of the management of the society and the status has also been reproduced in the aforesaid para of the reply which is under Sub Rule (2) of Rule 19 of the Haryana Registration and Regulation of Societies Act, 2012, in which it has been clearly depicted that the President of the Society was one Pankaj and Archana was the General Secretary of the Society. He submitted that in view of the aforesaid information which was officially sought from the office of District Registrar of the Societies, the petitioner stands nowhere and therefore, now the prayer which has been made by the petitioner that respondent No.1-University could issue the User ID and Password of the College for the purpose of admissions, the same cannot be done by the University because as per the report of the Registrar, the petitioner does not stand anywhere and in case any such User ID and Password is granted to the petitioner, then there is a possibility of misuse and submitted that the present petition is liable to be dismissed.

4. At this stage, learned counsel for the petitioner submitted that in fact the petitioner is the Chairperson/President of the Society and therefore, she is entitled for the aforesaid User ID and Password of the College for the purpose of admissions.

5. I have heard the learned counsels for the parties.

6. As per the facts and circumstances of the present case, the husband of the petitioner was earlier the President of the Society but after



his death, a dispute arose with regard to the management of the society and as per the report of the Distict Registrar of the Societies, Haryana, the President of the Society is stated to be one Pankaj and not the petitioner and the name of the petitioner does not figure in the list of aforesaid governing body which has been so depicted in the Para No.3 of the reply. The aforesaid information given by the District Registrar of the Societies in the reply which is so incorporated in Para No.3 is reproduced as under:-

“Change in the Office-bearer and members of the Governing Body of the Society under Section 33(4)(ii) of the Haryana Registration and Regulation of Societies Act, 2012.

(See sub-rule (2) of rule-19)

1	Name of Society	Shiksha Bharti Shiksha Samiti
2	Registration Number	00S75
3	Registration date	19-06-2013
4	Registration Officer address of the Society	Village Sisoth, Narnaul
5	Date of Election of the Governing Body	2021-11-22
6	Election valid till	3

Appointment to the Governing Body					
Sr. No.	Name of the Office bearer/Member of the Governing Body	Membership Number	Designation	Date of Appointment	Reason for Removal
1	Pankaj	5	President	2021-11-22	
2	Rahul Singh Chauhan	15	Vice-President	2021-11-22	
3	Archna	3	General Secretary	2021-11-22	
4	Vandana	4	Treasurer	2021-11-22	
5	Ms. Puspa Devi	9	Executive Member	2021-11-22	
6	Ms. Varsha	16	Executive Member	2021-11-22	
7	Vikram Singh Chauhan	17	Executive Member	2021-11-22	



Removal from the Governing Body				
Sr. No.	Name of the Office bearer/Member of the Governing Body	Membership Number	Date of Removal	Reason for cessation (Death/Resignation/ Removal)
1	Mahavir Parshad	2	2021-11-22	By Election
2	Suman	6	2021-11-22	By Election
3	Radhey Shyam	7	2021-11-22	By Election
4	Sita Ram	1	2021-11-22	Due to death on 16/06/2021
5	Udaivir Singh	8	2021-11-22	Due to death on 12/12/2016

The above particular as certified to be corrected as per the record of the Society”.

7. However, learned counsel for the petitioner submitted that the petitioner is the actual Chairperson/President of the Society. This Court is of the considered view that in the present case, on the basis of the official record so reproduced above, the petitioner’s name does not seem to have figured in the aforesaid Member of the Governing Body of the Society and therefore, no such direction can be issued to respondent No.1-University to issue the User ID and Password of the College to the petitioner. Even otherwise also, apparently, there seems to be a dispute raised by the petitioner that she is the President/Chairperson, which is disputed question of fact and therefore, it cannot be gone into by this Court in exercise of jurisdiction under Article 226 of the Constitution of India.

8. Consequently, finding no merit in the present petition, the same is hereby dismissed.

31.07.2024

(JASGURPREET SINGH PURI)

Bhumika

JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No