

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-25035-2021 (O&M)
Date of decision: 29.04.2024

DINESH KUMAR JAIN

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Mr. Shiv Kumar, Advocate and
Ms. Tejaswini, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondents No.1 to 4.

Mr. Akshay Bhan, Senior Advocate with
Mr. Rohit Nagpal, Advocate
for respondent No.5.

Mr. S.K. Jain, Advocate and
Mr. Anubhav Singla, Advocate
for respondent No.6.

Mr. Ashish Sanghi, Advocate
for respondent No.7.

Mr. Adarsh Jain, Advocate
for respondents No. 8, 10 to 28.

VINOD S. BHARDWAJ, J. (Oral)

Challenge in the present writ petition is to the order dated 28.10.2021 (Annexure P-14) passed by the Registrar of Firms and Societies and order dated 26.07.2021 (Annexure P-8) passed by respondent No.4-District Registrar of Firms and Societies whereby the petition of the petitioner had been dismissed as being not maintainable and for seeking quashing of the order/list dated 20.07.2021 whereby

the candidature of the petitioner had been improperly rejected for the post of Executive member by the respondent No.6.

Counsel for the respondents contend that they have no objection to the petition being allowed and impugned order dated 28.10.2021 (Annexure P-14) as well as the order dated 26.07.2021 passed by the District Registrar whereby, the candidature of the appellant was rejected for the post of Executive Member being set aside. They contend that election to the governing body of the respondent-Society is even otherwise due in July, 2024 and that by virtue of order dated 19.12.2022, the Sub Divisional Magistrate, Panchkula had been appointed as Administrator. It is conceded by the respondents that they would have no objection in case the Administrator continuous with the affairs of the society till holding of fresh elections of the governing body.

In view of the statements made by the respondents, the present writ petition is allowed to the extent of impugned orders herein. The same are accordingly set aside.

Let fresh process of election to the governing body be initiated by the Administrator who shall continue to operate as such till new elections are held and the fresh governing body is elected to office.

All the pending miscellaneous application(s), if any, are also disposed of.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 29, 2024

Vishal sharma

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