



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104

CWP-24308-2024 (O&M)

Date of decision: 12.12.2024

Maharaja Aggarsain Trust (Regd.)

...Petitioner

VERSUS

State of Haryana and others

...Respondents

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

Present :- Mr. Kshitij Sharma, Advocate for the petitioner.

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

VINOD S. BHARDWAJ, J. (Oral)

Challenge in the present petition is to the order dated 09.09.2024 whereby respondent No.2 has passed an order declining the request of the petitioner for declaration of results of election held in the petitioner-Trust on 26.07.2015 on the ground that there is no such specific order passed regarding opening of the results of the elections and that he has no authority to declare the same.

A short reply by way of an affidavit dated 04.12.2024 of District Registrar of Societies, Jhajjar on behalf of respondent No.2 has been filed. In the short reply, it has been stated that as per the provisions contained in Section 39(13) of the Haryana Registration and Regulation of Societies Act, 2012, the declaration of result has to be done by the Returning Officer and that she not being the Returning Officer, could not have declared the said result. It has further been stated in para No.8 of the short reply that the election was held in the year 2015 and the ballot papers boxes were



sealed as per the interim order dated 24.07.2015. If the election result is declared by the Returning Officer, then the office of the respondent would have decide the same as per the provisions contained under Section 33 of the Haryana Registration and Regulation of Societies Act, 2012. A further suggestion has been made by the District Registrar that a fresh election may also be conducted by the petitioner-Trust on the basis of the list of members finalised by the office of the District Registrar of Societies vide order dated 20.08.2024 to end all controversies at once.

Learned counsel for the petitioner has no objection to the same.

Taking into consideration that the cause with respect to declaration of result of the elections held in 2015 is a stale cause and a suggestion has been made by the District Registrar of Societies that holding of a fresh election in terms of the voter list finalised on 20.08.2024, a fresh election may be held with such offer having been accepted by the petitioner, hence, the present petition is **disposed of** with a direction to the respondent-authorities to ensure that the petitioner-Trust/Adhoc Committee supervising/conducting affairs thereof holds the election of governing body of the petitioner-Trust expeditiously and preferably within a period of 04 months of receipt of a certified copy of this order.

(VINOD S. BHARDWAJ)
JUDGE

12.12.2024

Mangal Singh

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