

2024.PHHC.162211



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

107+285-1

CM-19621-CWP-2024 IN/AND
CWP-25213-2024 (O&M)

RAJENDAR SINGH CHAUHAN

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

A N D

285-2

CWP-28743-2024
Date of Decision: 03.12.2024

PAWAN KUMAR SHARMA AND ORS

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Pardeep Solath, Advocate
for the petitioner in CWP-25213-2024 and
for respondent No.5 in CWP-28743-2024.

Mr. Vaibhav Narang, Advocate for the
petitioners in CWP-28742-2024.

Mr. Suneel Ranga, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

CM-19621-CWP-2024 in CWP-25213-2024

This is an application for seeking impleadment of the persons
mentioned in paragraph No.3 of the application as respondents No.6 to 12.

For the reasons mentioned in the application, the same is allowed
subject to all just exceptions.

Amended memo of parties is ordered to be taken on record and the Registry is directed to tag the same at appropriate place of the paper book.

MAIN CASES

Both these writ petitions are being decided by a common order with the consent of counsel for the parties, since the issues involved therein are inter-related.

While CWP-25213 of 2024 has been filed by the petitioner for seeking transfer of election reference dated 23.08.2024 pending before respondent No.2 to some other competent officer of equivalent status and to decide the same after granting proper opportunity of hearing to the parties; the CWP-28743-2024 has been filed for directing respondent No.2 to decide the petition under Section 40 of Haryana Registration and Regulation of Societies Act, 2012, pending since long before respondent No.2, in a time bound manner.

Counsel for the parties have informed that the abovesaid petition has already been decided by respondent No.2

Counsel for the petitioner in CWP-25213-2024, however, raises serious issues with regard to the conduct of respondent No.2, as despite issuance of notice of motion by this Court, he decided the petition in question. However, I am of the opinion that the said issue cannot be gone into by this Court at this stage and the petitioner in CWP-25213-2024 would be at liberty to raise all such pleas/issues in appropriate proceedings arising out of the order passed by respondent No.2, if so advised.

Since, the petition under Section 40 of Haryana Registration and Regulation of Societies Act, 2012 already stands decided, the present petitions are disposed of as having been rendered infructuous with liberty to the

respective parties to take recourse to the alternative remedies available to them in accordance with law.

Needless to mention that this Court has not gone into the allegations levelled by the petitioners in CWP-25213-2024 against the conduct of respondent No.2 and the Competent Authority would be free to form its own opinion by recording the finding to its own satisfaction.

All other misc. application(s), if any, also stand(s) disposed of accordingly.

DECEMBER 03, 2024.
rajender

(VINOD S. BHARDWAJ)
JUDGE

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