



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

CWP-11574-2025

Date of Decision : 28.04.2025

CHANDERESH KUMAR AND OTHERS

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Brijender Kaushik, Advocate,
for the petitioners.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for quashing of an order dated 26.03.2025 (Annexure P-14), passed by the District Registrar of Societies, Bhiwani, (respondent no.2), wherethrough, the enrollment of 28 members was declared as invalid, on account of not complying with the procedure, as described in Haryana Registration and Regulation of Societies Act, 2012 (hereinafter referred to as 'The Act of 2012'), and the bye-laws of the society.

2. The impugned order (*supra*), has been challenged before this Court, *inter alia* on the ground that the same has been passed in gross violation of Section 39 of the Act of 2012, as the District Registrar of Societies (respondent no.2), is not vested with the jurisdiction to decide the aforesaid issue, after the completion of election process. Further, in the impugned order (*supra*), no such illegality has been pointed out, so as to declare the enrollment of 28 members as invalid.

3. This Court has put a specific query to learned counsel for the petitioners, as to whether, the impugned order (*supra*), is appealable before the State Registrar of Societies, though he answered in 'affirmative', however, he submits that since the District Registrar concerned, has gone beyond the mandate of Section 39 of the Act of 2012, therefore, he can also maintain the instant petition.

4. There is no doubt that the petitioners can maintain the instant petition, however, since a specific remedy of statutory appeal is available to the petitioners against the impugned order (*supra*), this Court refrains to exercise its powers under Article 226/227 of the Constitution of India, and relegates the present petitioners to the State Registrar of Societies concerned.

5. In case, the petitioners prefers an appeal before the State Registrar of Societies concerned, the latter concerned, shall make its all endeavours to decide the same within a period of 06 weeks thereafter, after giving an adequate opportunity to hearing to the parties concerned.

6. However, this Court deems it apt to put the order dated 26.03.2025 (Annexure P-14), in abeyance for next 15 days or till the decision of the application for interim relief, if preferred, whichever, is earlier.

7. **Disposed of** accordingly.

(KULDEEP TIWARI)

JUDGE

April 28, 2025

dharamvir

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No