



CWP-17638-2025

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

(103)

CWP-17638-2025

Date of Decision : 04.07.2025

Shaffali Nagal and others

...Petitioners

Versus

The Registrar General of Societies and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Shekhar Verma, Advocate
Mr. Rahul Chadha, Advocate and
Ms. Deepti Singh, Advocate
for the petitioners.

Mr. Bhupender Singh, Addl. AG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. Learned counsel for the petitioners, at the very outset, informs this Court, that inadvertently the complete copy of the impugned order has not been annexed, with the instant petition, and therefore, he files the copy of the impugned order dated 13.05.2025, today in the Court. The same is taken on record as Annexure P-22, subject to just exceptions. The Registry is directed to tag the same at apt place in the case file.

2. Through the instant writ petition, cast under Articles 226/227 of the Constitution of India, a challenge is thrown to the order dated 13.05.2025 (Annexure P-22), whereby, the appeal preferred by one of the respondent namely Suresh Kumar, has been accepted by the State Registrar of Societies, Haryana, and remanded the *lis*, to the District Registrar concerned, with a direction to decide the matter afresh. Thereafter, the District Registrar, Gurugram, has passed the order dated 16.06.2025 (Annexure P-27), through



which the authorities concerned has made a reference to the State Registrar concerned, under Section 40 of the Haryana Registration and Regulation of Societies Act, 2012, for setting aside the elections. This has caused the grievance to the petitioners, and propelled them to file the instant petition.

3. In an attempt to challenge the order, as passed by the District Registrar concerned, learned counsel for the petitioners has made the hereinafter extracted submissions :-

“1. Petition under Section 40 of HRRS Act entertained and dismissed on 25.11.2024 by District Registrar was filed by the persons, who have no concern with the Association. They are not even the Members of the Association.

2. Since they are not the Members of the Association, they could not have filed an appeal against the order dated 25.11.2024.

3. 23.05.2025, Elections were formally approved and notified by District Registrar.

4. 27.05.2025, The State Registrar put into transmission an order dated 13.05.2025 accepting the appeal against the order dated 25.11.2024 and returned findings in the teeth of Section 40 of HRRS Act, 2012.

5. Though election disputes are maintainable only before State Registrar, he relegated the parties to District Registrar for fresh consideration.

6. On 20.06.2025, notwithstanding the facts that elections were actually approved on 23.05.2025 by DR, on the directions of State Registrar, he held that elections were illegal.

i. The reasoning given by him is beyond the scope of Section 40 and contrary to the stand taken before this Hon'ble Court in the 1st round of litigation.

ii. Needlessly, he referred to earlier elections 24.09.2021 and passed certain observations that the said elections were illegal, whereas, the State had filed an affidavit on



record to State that elections were approved.

7. In law, the District Registrar, Firms and Societies, Gurugram has no jurisdiction under Section 40 of HRRS Act, 2012 to declare the elections to the Governing Body of the Petitioners as invalid and appoint Administrator. At the most, he could have made a reference to the State Registrar.

8. The elections were held under the supervision of the Court Commissioner and no illegality has been pointed out till date within the scope of Section 40 of HRRS Act, 2012.

9. Recently, on 30.06.2025, on an application given by Haryana Olympic Association (again no concern with Haryana Football Association), The State Registrar gave permission to District Registrar to review his order dated 20.06.2025 and the Administrator appointed by the District Registrar has been replaced by an Adhoc Committee comprising of persons, who have no concern with the Game of Football.

10. A list of players is to be sent for tournaments and instead of the Association, the Adhoc committee will pay this role without any expertise.”

4. At the outset, this Court has confronted the learned counsel for the petitioner, as to whether, the order dated 16.06.2025 (Annexure P-27), is appealable order or not, to which, he answered in affirmative. He further submits that the petitioners have filed the instant petition, on the premise that their contentions may not be considered by the State Registrar concerned, as he had already disclosed his mind in the previous order. This Court, does not find any merit in the apprehension, as expressed by the learned counsel for the petitioners. Earlier, the State Registrar concerned, has examined the issue only an application preferred by one of the respondent. The State Registrar concerned, now would decide the appeal, which is to be preferred by the



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petitioners, and this Court expects that all the issues (supra), which are raised before this Court, shall be adjudicated by the State Registrar concerned, by passing a detailed speaking order.

5. After hearing learned counsel for the parties concerned, this Court, is of the considered opinion that the instant petition is a pre-mature motion, as the order dated 13.05.2025 (Annexure P-22), has already been given effect, and the District Registrar concerned, has subsequently, decided the *lis*, and has passed the reference order. The order passed by the District Registrar concerned, is appealable, therefore, the petitioners are relegated to the authorities concerned, for redressal of their grievance, as sought through the instant petition.

6. In case, the petitioners prefers a statutory appeal, before the competent authority concerned, within a period of 15 days, from the date of receipt of certified copy of this order, the latter shall make an efforts to decide the same within a period of two months, thereafter.

7. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

July 04, 2025
Manpreet

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