



CWP-18508-2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(105)

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Date of decision:- 10.11.2025

Anil Soni

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Amit Dhawan, Advocate, for the petitioner.

Mr. Karan Kumar Jund, Senior Panel Counsel, Union of India
for respondent No.1.

Mr. Siddharth Sandhu, Assistant Advocate General, Punjab.

...

SUVIR SEHGAL, J. (Oral)**CM-15691-CWP-2025**

1. For the reasons given in the application, it is allowed.
2. Documents as Annexures P-15 to P-18 are taken on record.

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3. This petition has been filed *inter alia* for issuance of a writ in the nature of certiorari for quashing impugned letter dated 05.11.2024, Annexure P-5, issued by Diocese of Chandigarh – Church of North India (for short “CNI”), respondent No.5, whereby petitioner has been declared to be a member “not in good standing” and he has been debarred from participating in the administration of the church and from being associated with the bodies of CNI at all levels.
4. At the outset, counsel for the petitioner has been asked to satisfy that respondent No.5 is amenable to writ jurisdiction. He has also been confronted with the observations of a co-ordinate Bench of this Court in ***CWP-24721-2024, titled***



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5. Mr. Amit Dhawan, Advocate, counsel for the petitioner, has made a reference to Annexures, P-15 and P-16, to contend that respondent No.5 has been receiving grant from the Government of Punjab and would fall within the ambit of “other authority” under Article 12 of Constitution of India. It is his contention that CNI, which is a society registered under the Societies Registration Act, 1860, is amenable to writ jurisdiction of this Court and the present petition assailing impugned action can be maintained.

6. I have considered the submissions made by counsel for the petitioner as well as examined the documents placed on the record.

7. A perusal of Annexure P-15 shows that it is a letter issued by Department of Finance, Government of India, sanctioning a grant of Rs.17 lacs to the Deputy Commissioner, Hoshiarpur, under discretionary quota for construction of a community centre at Christ Church, Green View Park, Hoshiarpur. By letter dated 04.10.2022, Annexure P-16, CNI – respondent No.5, has sought permission of the Bishop, Diocese of Chandigarh, CNI, for construction of the community hall in the church complex. Neither of these two letters show that any grant or aid has been given by the Government of Punjab to respondent No.5. Argument by counsel for the petitioner that respondent No.5 is being financially aided by the Government falls flat.

8. The question of maintainability of writ petition against respondent No.5 came up for adjudication before a co-ordinate Bench of this Court in Rohit Paul’s case (*supra*), wherein challenge was laid to the election of respondent No.5 on the allegation that it was illegal and a direction was sought to conduct fresh elections.

After considering contentions of the petitioner, this Court specifically recorded

that no detail has been provided about any public function discharged by the



religious body, nor is there any material on the record to show the inter se control and relationship amongst the church and the institute. This Court gave a categoric finding that writ jurisdiction would not be an appropriate remedy merely because of some remote and non-proximate cascading effect being suggested or alleged by a litigant. This Court recorded that internal affairs of a religious organization are not a public function discharged by the Government and it does not amount to any public service as well. This Court recorded that an activity, which renders institutions/body amenable to writ jurisdiction, must fulfill the test of being a public duty or discharge of a public function, which is not satisfied. Dispute raised in the present petition pertains to ousting of petitioner from administration and management of institutes/organisations run by CNI, which are disputed questions of fact, that cannot be gone into by a writ Court.

9. For the reasons recorded above and judgment in Rohit Paul’s case (*supra*), this Court is of the view that writ petition is not maintainable against respondent No.5. As a result, present writ petition is dismissed as not maintainable.

10. Liberty is, however, granted to the petitioner to take recourse to the remedy available to him in accordance with law.

(SUVIR SEHGAL)
JUDGE

10.11.2025
Pardeep

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No