

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

1. CR-6551-2023 (O&M)
Date of decision: 24.02.2025

CHARANJIT SINGH RAI AND OTHERS ..Petitioners

Versus

JARNAIL SINGH PASRICHA AND OTHERS ..Respondents

2. CR-5192-2024

CHARANJIT SINGH RAI AND OTHERS ..Petitioners

Versus

SUDERSHAN SINGH BAINS AND OTHERS ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kshitij Sharma, Advocate
Ms. Shruti Sharma, Advocate
Mr. Shubhkarman Singh Gill, Advocate
for the petitioners.

Mr. Divanshu Jain, Advocate
Ms. Gurneet Sagoo, Advocate
for respondents.

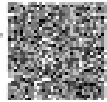
ANIL KSHETARPAL, J(Oral)

1. These two connected revision petitions are arising from interlocutory orders passed by the Courts while deciding applications for grant of temporary injunction in the pending suits.

2. On 25.11.2024, the following order was passed:-

“1. Heard the learned counsel representing the parties at length.

2. It is evident that two groups of members are fighting over the management of the Society which runs as many as two colleges and six schools involving the future of more than 10000 students. There are allegations of embezzlement of funds alleged by one group which is contested by another group. For the last many years, even the elections have not taken place.



3. The learned counsel representing the parties do not dispute that the aforesaid Trust is only a registered Society which was registered for the purpose of doing public charity.

4. Since long drawn litigation is pending in the Courts, hence, this Court is of the considered view that as an interim measure, the Deputy Commissioner, Jalandhar, shall take over the management of the educational institution as well as the Society and nominate a young IAS officer (direct recruit) who shall act as an Administrator. This step has been taken in order to protect future of more than 10000 students who are studying in the educational institutions. This order shall be subject to final disposal of both the revision petitions. The Administrator shall have the liberty to get the accounts of the Society as well as the educational institutions audited from a reputed Chartered Accountant who will submit a report to this Court within a period of one month.

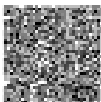
5. List on 27.01.2025.

6. A photocopy of this order be placed on the file of another connected case.”

3. It has been brought to the notice of the Court that Sh. Vivek Kumar, Sub-Divisional Magistrate, who is a young IAS Officer has been nominated as an Administrator to manage the educational institutions and its properties for the time being. This Court has also been informed that as many as three suits between the various members of the society are pending. As per the constitution of the society, there is a provision for seven lifetime members, whereas, four are ordinary members having tenure of three years.

4. The tenure of ordinary members is already over on 16.05.2021. Elections have to take place. However, there is serious dispute in between seven lifetime members. The society runs two colleges and six schools involving future of more than 10,000 students. Pursuant to the order of the Court, an audit report has been produced.

5. After arguing for some time, learned counsel for the parties have come to the following consensus:-



- i. The Civil Judge, Senior Division, Jalandhar, would consolidate all the three suits in one Court. He will also examine the feasibility of marking the case of the senior most Presiding Judge as per the roster.
 - ii. In the meantime, interim arrangement vide order dated 25.11.2024 shall continue, however, the life trustees would have liberty to give suggestions for improving the functioning of the institutions, which will be considered by the Administrator while taking the decisions.
6. The Presiding Judge would with the cooperation of the learned counsel for the parties, make sincere endeavor for expeditious disposal of the suits.
7. With these observations, both the revision petitions are disposed of.
8. All the pending miscellaneous applications, if any, are also disposed of.

February 24th, 2025
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(ANIL KSHETARPAL)
JUDGE

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