2026:JHHC:26848

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 6866 of 2026

1. Nageshwar Prasad Mehta, aged about 58 years son of Late Devaki Mahto resident of Dipugarha, P.O &P.S. Korrah, District – Hazaribagh, Jharkhand (Elected President, Mehta Vikas Manch).

2. Bindeshwari Prasad Mehta, aged about 62 years son of Late Bandhan Mahto resident of Ravi Niketan Vikas Nagar Sarley, P.O&P.S. Hazaribagh, District – Hazaribagh, Jharkhand (Elected President, Mehta Vikas Manch) ……**Petitioner(s)**

Versus

1. State of Jharkhand, through the Chief Secretary, Government of Jharkhand, Project Building, P.O. & P.S. Dhurwa, Ranchi.
2. The Deputy Commissioner, Hazaribagh, District Office Premises, P.O. & P.S. Sadar, District - Hazaribagh.
3. The Sub-Divisional Officer (SDO), Sadar Hazaribagh, P.O. & P.S. Sadar, District - Hazaribagh.
4. The Circle Officer (CO), Sadar Hazaribagh, P.O. & P.S. Sadar, District - Hazaribagh.
5. The Superintendent of Police (SP), Hazaribagh, P.O. & P.S. Sadar, District - Hazaribagh.
6. The Officer-in-Charge, Sadar Police Station, P.O. & P.S. Sadar, District - Hazaribagh.
7. Ramkeshwar Prasad Mehta @ Kumar Keshav, S/o Late Bhekhalal Mahto, R/o Village Kurha, P.O. Ichak, Present Address: Kani Bazar, P.S. Sadar, District - Hazaribagh.
8. Saroj Kumar Mehta, S/o Late Tejnarayan Mehta, R/o Panditji Road, PO and P.S. Sadar, District - Hazaribagh.
9. Lakhan Kumar Mehta, S/o Late Badri Mahto, R/o Village Dariya, P.O. &P.S. Ichak, Present Address: Julu Park, P.O. &P.S. Sadar, District - Hazaribagh.
10. Nirmal Prasad Mehta, S/o Budhan Mahto, R/o Village Kurha, P.O. Ichak, Present Address: JagoNiwasGali, Matwari, P.S. Sadar, District – Hazaribagh .....**Respondents**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) :Mr. Hemant Kumar Shikarwar, Advocate
For the Respondent(s): Mr. Tarun Kr. Mahato, Advocate

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02/02.09.2026: By way of filing this writ petition, the petitioners have sought for the following reliefs :-

> *(a) For appropriate writ/writs, order/ orders, direction/directions particularly a writ in nature of Writ of Mandamus: Directing Respondent Nos. 2 to 6 (District & Police Administration) to enforce the constitutional governance of the registered society, "Mehta (Kushwaha) VikasManch, Hazaribagh" (Registration No. 838/2010-11), and restore physical possession, management, and operational control of "Mehta Bhawan" (comprising 7 commercial shops, 2 assembly halls, and 6 residential/office rooms at Julu Park, Hazaribagh) to the democratically elected Governing Body headed by Petitioner No. 1 and Petitioner No. 2;*
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> *(b) Directing Respondent Nos. 7 to 10 to forthwith hand over the physical keys, bank account details, and all financial account ledgers of Mehta Bhawan to the newly elected Governing Body;*
>
> *(c) Directing Respondent Nos. 5 & 6 to take appropriate penal and preventive action against Respondent Nos. 7 to 10 pursuant to the criminal complaint dated 28.05.2026 (Annexure-7) for illegal lockout, trespass, and ongoing financial embezzlement of society funds collected from commercial rentals;*
>
> *(d) Restraining Respondent Nos. 7 to 10 from acting on the basis of the unconstitutional, secret nomination dated 01.11.2025 or holding themselves out as office bearers of Mehta VikasManch.*

2. The petitioners claim to be the elected President and Secretary of Mehta VikasManch, Hazaribagh, a society established in 2007 and registered under the Societies Registration Act, governed by its registered bye-laws. The elections to the society were ordinarily conducted through the General Body. On 24.10.2025, more than 100 members requested the then General Secretary to convene a General Body meeting for conducting elections. The petitioners allege that, without convening a General Body meeting, an Executive body was constituted on 01.11.2025 through a purported selection process, which was objected to by several members as being contrary to the bye-laws. A General Body meeting held on 03.11.2025 which allegedly invalidated the said selection and resolved to hold a fresh election in accordance with the bye-laws. The decision was subsequently approved in the meeting dated 11.11.2025 attended by 251 members. In the meeting dated

11.11.2025, they claimed that Nageshwar Prasad Mehta was elected President and Bindeshwari Prasad Mehta Secretary, along with a 51-member Executive Committee. The aforesaid leadership was ratified at the general conference held on 18.01.2026, wherein the committee formed on 01.11.2025 was cancelled and that formed on 11.11.2025 was approved. The petitioners allege that certain private respondents continued to occupy and control Mehta Bhawan at Julu Park, Hazaribagh, comprising of commercial shops, assembly halls and residential/office rooms, and refused to hand over its keys and financial records to the petitioners' committee. The petitioners accordingly made representations to the SDO, Circle Officer and police authorities seeking intervention, restoration of possession and action, concerning the alleged unauthorised occupation and handling of society revenues. Aggrieved by the inaction of the police, the petitioners have moved before this Court.

3. Learned counsel for the petitioners submits that the executive body allegedly constituted on 01.11.2025 was contrary to the registered bye-laws and constituted without a duly convened General Body meeting. It is contended that the subsequent General Body meetings dated 03.11.2025 and 11.11.2025, followed by ratification on 18.01.2026, validly annulled the earlier selection and elected the present petitioners as office bearers. Despite repeated representations, the private respondents alleged to have retained control over Mehta Bhawan, keys, records and financial accounts, necessitating intervention by the respondent State Authorities. The petitioners have consequently approached this Court seeking directions to the district and police administration to recognise/enforce the governance claimed by them, restore possession of Mehta Bhawan and restrain the private respondents

from acting as office bearers on the basis of selection made on 01.11.2025.

4. Learned counsel for the respondents submits that the dispute essentially concerns the internal management, election and control of a private registered society and involves seriously disputed questions of fact. The alleged election/selection and competing claims to management cannot be adjudicated in writ jurisdiction. It is, therefore, submitted that no enforceable public law right or ground for issuance of a writ of mandamus is made out and the petition is liable to be dismissed.

5. After hearing learned counsel for the parties and perused the materials on record, I find that the dispute raised in the present writ petition essentially relates to the constitution and election of the executive body and internal management of a registered society. The rival claims of the parties with regard to the validity of the elections/selection held on 01.11.2025, 03.11.2025 and 11.11.2025, as well as the subsequent ratification dated 18.01.2026, involve disputed questions of fact that cannot be adjudicated under the writ jurisdiction of Article 226 of the Constitution.

Further, the police authorities lack jurisdiction to grant physical possession or to resolve disputes over management control, as these are strictly civil and administrative matters. It is also a fact that there is no provision in the Societies Registration Act of 1860, which provides the mechanism for adjudication of the aforesaid disputes. Therefore, only remedy left to the petitioners is to file appropriate suit in the competent Civil Court.

6. Considering the aforesaid, I am not inclined to entertain instant writ petition in the exercise of writ jurisdiction under Article 226 of the Constitution.

7. Accordingly, the writ petition is **dismissed**.

8. It is open to the petitioners to approach the Civil Court for the redressal of their grievance.

(ANANDA SEN, J.)

02.09.2026
Tanuj/CP-2

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