CGHC010013492024 2026:CGHC:44247

NAFR

RAVVA UTTEJ KUMAR RAJU Digitally signed by RAVVA UTTEJ KUMAR RAJU Date: 2026.10.15 17:39:32 +0530

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 440 of 2024

1 - Maharaja Surendra Bahadur Singh (Deleted) As Per Honble Court Order Dated 13-10-2026

2 - Rajesh Dhingra S/o Late Shri Govind Dhingra Aged About 55 Years Residing At Mig 37 Padmanbhpur, Durg, Tehsil And District - Durg, (C.G.)

... Petitioners

Versus

1 - State of Chhattisgarh Through Principal Secretary, Commerce And Industries Department, Mahanadi Bhawan, Naya Raipur, Tehsil And District - Raipur, (C.G.).

2 - Registrar Firms And Societies, Chhattisgarh, Indrawati Bhawan, Block - 1, Third Floor, Atal Nagar, Naya Raipur, Tehsil And District – Raipur, (C.G.)

3 - Chairman, Council For The Indian School Certificate Examination, Situated At P-32-36, Sector -Vi, Pushp Vihar, Saket, New Delhi. 110017.

4 - The Rajkumar College Society, Through Its Secretary, G.E. Road, Raipur, Tehsil And District - Raipur, (C.G.)

5 - Colonel Shri Avinash Singh, Principal Secretary, The Rajkumar College Society, G.E. Road Raipur, Tehsil And District - Raipur, (C.G.).

6 - Central Bureau of Investigation, through Its Director General (Cbi), Lodhi Road, New Delhi.

... Respondents

(Cause title is downloaded from CIS Periphery.)

For Petitioners	:	Mr. Anand Shukla, Advocate.
For State	:	Mr. Anand Dadariya, Dy. A.G.
For Respondents No. 4 & 5	:	Mr. Abhishek Sinha along with Mr. Ghanshyam Patel, Advocates.
For Respondent No. 6	:	Mr. Sooraj Jaiswal, Advocate.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

13.10.2026

1. Heard on I.A. No. 01/2026, an application seeking deletion of petitioner No. 1, Maharaja Surendra Bahadur Singh, from the array of parties as the petitioner No. 1 has died on 29.04.2025.

2. Upon due consideration and for the reasons stated in the application, particularly the fact that petitioner No. 1, Maharaja Surendra Bahadur Singh, has died during the pendency of the petition, I.A. No. 01/2026 is allowed. Learned counsel for the petitioner No. 2 is directed to carry out the necessary amendment in the cause title by deleting the name of petitioner No. 1 from the array of petitioners during the course of the day.

3. By way of this petition, the petitioner No. 2 is not challenging any order but is seeking direction from this Court for investigation into the entire operations of the Rajkumar College Society. The petitioners have filed the instant petition for following reliefs:-

> "10.1 To may kindly direct the Central Bureaus of Investigation to conduct investigation into the complaint made by the petitioner;

10.2 To may kindly direct the society to reinstate the rules of 1953 and repeal the Rules of 1994,

10.3 Any other relief(s) in favour of Petitioners as this Hon'ble Court may deem fit and proper the facts and circumstances of the case."

4. The brief facts of the case, as projected by the petitioners, are that the petitioners are aggrieved by the alleged illegalities and irregularities in the functioning and administration of the Rajkumar College Society, Raipur, established in 1882 and registered under the Registrar of Societies. It is contended that the Society has inducted new life members into its General Council without valid documents establishing their status as legal heirs of existing life members, appointed the Secretary of the Society as Principal of the Institution without the requisite B.Ed. degree, and committed various financial and administrative irregularities, including the constitution of committees in violation of its Memorandum of Association and governing rules. The composition of the General Council includes one representative nominated by each Patron (Ex-officio members). Additionally, all rulers of the merged states within the former Eastern States Agency are granted lifetime membership in the General Council. Furthermore, their respective heirs and successors inherit this membership and perpetually enjoy the associated privileges.

1) Bastar	2) Kanker	3) Sarguja
4) Udaipur	5) Jashpur	6) Raigarh
7) Sarangarh	8) Changbhakar	9) Sakti

10) Kawardha	11) Khairagarh	12) Korea
13) Nandgaon	14) Chhuikhadan	15) Mayurbhanj
16) Patna	17) Kalahandi	18) Sonepur
19) Bamra	20) Rairakhol	21) Gangpur
22) Keonjhar	23) Dhenkana	24) Baudh
25) Seraikella	26) Bonai	27) Khandapara
28) Daspalla	29) Nayagarh	30) Talcher
31) Nilgiri	32) Hindoi	33) Kharsawan
34) Athamallik	35) Ranpur	36) Narsingpur
37) Athgarh	38) Pai-Lahara	39) Baramba
40) Tigiria		

5. It is further adumbrated in the petition that the petitioners have raised allegations of various irregularities in the functioning and administration of the Rajkumar College Society, particularly with regard to the induction of life members in violation of its Memorandum of Association and governing by-laws. It is contended that, although the Memorandum of Association dated 30.06.1994 records 40 original life members, additional members have subsequently been inducted without valid documents establishing their status as legal heirs or successors of the original members. The petitioners further question the appointment of Colonel Avinash Singh, who serves as the Secretary of the Society and Principal of the Institution, alleging that he does not possess the requisite B.Ed. degree and that his appointment and life membership warrant scrutiny. It is further contended that, despite the complaint submitted by petitioner No. 2 before respondent No.

2/Registrar, Firms and Societies, the same was closed vide order dated 10.08.2020 on the ground that petitioner No. 2 was not a member of the Society. The petitioners also allege that the requisite records concerning life membership were stated to be unavailable in response to an RTI application, thereby raising doubts regarding the legality of subsequent inductions. Accordingly, the petitioners seek a comprehensive inquiry into the alleged irregularities, including the validity of the amended Memorandum of Association dated 30.06.1994, with a further prayer that, if found contrary to law, the amended constitution be set aside and the original Memorandum of Association of March 1953 be restored, along with appropriate action under the applicable provisions of the Chhattisgarh Societies Registration Act, 1973. Hence, this petition.

6. Learned counsel for petitioner No. 2 submits that the matter is required to be considered in the light of the subsequent event, namely, the death of petitioner No. 1, Maharaja Surendra Bahadur Singh, the erstwhile ruler of Janjgir-Champa. He further submits that the principal relief sought by petitioner No. 2 is a direction to the Rajkumar College Society, Raipur (C.G.), to restore the Rules of 1953 and repeal the Rules of 1994. Upon being specifically queried regarding his status vis-à-vis the Society, learned counsel submits that petitioner No. 2 is neither an erstwhile ruler nor a member of the Society, though he was formerly a member of the Students' Union of the Rajkumar College Students' Association. A

perusal of the Memorandum of Association and the Rules and Regulations of the Rajkumar College Society reveals that membership of the Society is confined to 40 erstwhile rulers, as specified in the governing documents of the Society. In view of the admitted position that petitioner No. 2 is neither an erstwhile ruler nor a member of the Society, a serious question arises as to his locus standi to seek the reliefs claimed in the present petition. Consequently, the maintainability of the petition at the instance of petitioner No. 2 requires consideration.

7. Learned counsel for respondent Nos. 4 and 5, in response to the aforesaid query, submits that, according to the Society, petitioner No. 2 is not having any authority or concern with the affairs of the Society, as he is neither a member nor an erstwhile ruler recognised under its bye-laws. Accordingly, he lacks the *locus standi* to challenge the Rules of the Society or seek the reliefs claimed in the present petition. Learned counsel for the respondents submits that petitioner No. 1, being a member of the General Council of the Society, was entitled to seek appropriate relief in respect of its affairs; however, upon his demise, no person can represent him in the present proceedings. He further submits that petitioner No. 2 is neither a member of the Society nor otherwise connected with its affairs and, therefore, lacks *locus standi* to challenge its functioning or seek the reliefs claimed in the present petition. In this regard, he places reliance upon Section 201 of the Indian Contract Act, 1872, contending that the Power of

Attorney ordinarily terminates upon the death of the person who granted it. He next submits that the Rajkumar College Society had instituted a suit against petitioner No. 1 for recovery of Rs. 9,57,980/-, which was decreed in favour of the Society, directing the late petitioner No. 1 to pay the said amount. He, therefore, contends that the present petition appears to have been instituted to settle personal scores and that petitioner No. 2 has no legal authority to question the functioning of the Society. He next submits that that the present writ petition is not maintainable, as petitioner No. 1, who was a life member of the Rajkumar College Society, died on 29.04.2025 and his legal heirs have expressed their unwillingness to pursue the proceedings, whereas petitioner No. 2 is neither a member of the Society nor has disclosed any infringement of his individual rights so as to establish his *locus standi* to maintain the present petition under Article 226 of the Constitution of India. In support of his contention, he places reliance upon the decision of the Hon'ble Supreme Court in ***Vinoy Kumar v. State of Uttar Pradesh and Others*****, (2001) 4 SCC 734.** He further submits that the impugned amendment to the Rules and Regulations of the Society, being an internal decision of a private society without any public element, is not amenable to judicial review under the writ jurisdiction, placing reliance upon *St. **Mary's Education Society v. Rajendra Prasad Bhargava and Others***, **(2023) 4 SCC 498**. He next contends that the challenge to the Rules of 1994, instituted after an unexplained delay of nearly

three decades, is liable to be dismissed on the ground of gross delay and laches, relying upon the decision in ***S.D. Baghel v. State of Chhattisgarh and Others***, **WPS No. 3094 of 2018**. He further submits that the complaint lodged by petitioner No. 2 was closed by the Registrar vide order dated 10.08.2020, which has attained finality and cannot be reopened in the present proceedings. He also opposes the prayer for a CBI inquiry, contending that no exceptional circumstances warranting such an investigation or material disclosing any criminal offence or conspiracy have been brought on record, placing reliance upon ***Legislative Council, U.P., Lucknow and Others v. Sushil Kumar and Others***, **2025 LiveLaw (SC) 1012**, **Civil Appeal No. 11842 of 2025**. Accordingly, he prays for dismissal of the writ petition with exemplary costs.

8. Learned counsel appearing for the State submits that, as per the bye-laws of the Society, any issue concerning the bye-laws can be raised only by its members and not by any other person. He further submits that, although the State has raised the objection of availability of an alternative remedy in its return, the petitioner No. 2, being neither a member of the Society nor otherwise recognised under its bye-laws, lacks the *locus standi* to challenge the same. He further submits submits that the pleadings and documents placed on record indicate that the present dispute arises out of personal grievances between the petitioners and respondent No. 4/Society and its Principal, respondent No. 5. He next submits that

respondent No. 4 had instituted Civil Suit No. 13B/2013 before the First Additional District Judge, Raipur, for recovery of the amount allegedly misappropriated by petitioner No. 1, and a decree was passed in favour of the Society for recovery of Rs. 9,57,980/- along with interest of Rs. 20,11,905/-. He next contends that the petitioners have an efficacious statutory remedy under Section 32 of the Chhattisgarh Societies Registration Act, 1973, which empowers the Registrar to conduct an inquiry into the constitution, functioning and financial affairs of a society, but the petitioners have failed to invoke the said remedy in accordance with the prescribed procedure. He also submits that petitioner No. 2 was duly informed that his complaint could be entertained only upon compliance with the requirements of Section 32 of the Act, vide communication dated 24.07.2022 (Annexure P/7), and that, if aggrieved by the decision of the Registrar, he could have preferred an appeal before the State Government under Section 40 of the Act, which he has not done. Accordingly, learned State counsel contends that the present writ petition, having been filed without availing the statutory remedies and being founded upon personal grievances, is vague and devoid of merit and deserves to be dismissed.

9. Learned counsel for petitioner No. 2, at this stage, submits that the complaint lodged by petitioner No. 2 was duly inquired into and subsequently closed upon finding no substance therein.

10. Having heard learned counsel for the parties and upon perusal of the record, particularly the reliefs sought in the present petition and the Memorandum of Association and Rules and Regulations governing the Rajkumar College Society, this Court finds that the principal grievance of the petitioners relates to the validity of the amended Rules of 1994 and seeks restoration of the Rules of 1953, besides an inquiry into the affairs of the Society. Undoubtedly, petitioner No. 1, late Maharaja Surendra Bahadur Singh, being a member of the General Council of the Society, may have been competent to raise such grievances in his individual capacity. However, following his demise on 29.04.2025, his legal heirs have expressed their unwillingness to pursue the present proceedings. The question that consequently arises is whether petitioner No. 2 can independently maintain the present petition. In this regard, it is an admitted position that petitioner No. 2 is neither an erstwhile ruler recognised under the governing documents of the Society nor a member of its General Council, and his former association with the Students' Union of the Rajkumar College Students' Association does not, by itself, confer upon him any right to challenge the constitution or internal affairs of the Society. Moreover, petitioner No. 2 has not demonstrated infringement of any personal or individual right warranting the exercise of writ jurisdiction under Article 226 of the Constitution of India. The submissions advanced on behalf of the respondents regarding the availability of statutory remedies under Sections 32

and 40 of the Chhattisgarh Societies Registration Act, 1973, and the private character of the Society further reinforce the objections raised to the maintainability of the petition at the instance of petitioner No. 2. It is quite vivid fact that the complaint lodged by petitioner No. 2 was inquired into and subsequently closed does not, in the absence of any independently enforceable right, confer upon him the requisite *locus standi* to maintain the present proceedings.

11. In view of the aforesaid circumstances, this Court is of the considered opinion that, following the demise of petitioner No. 1, petitioner No. 2 cannot independently maintain the present writ petition or seek the reliefs claimed therein as under Section 201 of the Indian Contract Act, 1872, contending that the Power of Attorney ordinarily terminates upon the death of the person who granted it.

12. In view of the aforesaid, the writ petition is liable to be **dismissed** as not maintainable for want of *locus standi* on the part of petitioner No. 2.

Sd/-
(Amitendra Kishore Prasad)
Judge

U.K. Raju