



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

121

CWP-10912-2026

Date of Decision: 10.04.2026

SHREE SANATAN DHARAM SABHA (REGD.) MALERKOTLA
& ANOTHER

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Anil Kumar Garg, Advocate for petitioners

Mr. Vikram Arora, D.A.G., Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner-Sabha through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of order dated 07.05.2024 passed by respondent No.2-Deputy Commission, Malerkotla whereby respondent No.4-Naib Tehsildar, Malerkotla has been appointed as its receiver and observer. It is further seeking setting aside of notice dated 27.01.2026 passed by respondent No.4 whereby he has taken charge of its affairs. It is further seeking setting aside of proceedings initiated by respondent Nos. 2 to 4 on the basis of order dated 07.05.2024.

2. The petitioner is a religious Sabha under the name and style as *Shree Sanatan Dharam Sabha*, Malerkotla. Elections of the petitioner-Sabha were held in 2022. Respondent No.7 who was contesting for the post of



President filed objections against the voter list which were rejected vide letter dated 01.06.2022. Respondent No.7 again filed application dated 07.06.2022 seeking stay on the elections which was rejected vide letter dated 10.06.2022. Respondent No.7 approached this Court by way of *CWP-18962-2022* assailing the election which was withdrawn on 21.11.2023 to avail appropriate remedy. The governing body of the Sabha was elected vide meeting held on 17.12.2023. Respondent No.7 on not being elected as member of the governing body moved an illegal application dated 13.02.2024 alleging that the money from donation boxes had been stolen by the President of the Sabha. Respondent No. 7 in connivance with private respondents passed an illegal resolution dated 14.02.2024 whereby the President was removed and respondent No.5 was elected as the new President. Petitioner-Sabha vide resolution dated 26.02.2024 sacked many members who had been working against the interest of the Sabha. Private respondents and respondent No.5 moved applications to respondent No.2- Deputy Commissioner, Malerkotla doubting working of the Sabha. Respondent No.2 vide order dated 07.05.2024 ignoring its previous order dated 21.11.2023 appointed respondent No.4 as receiver and observer of the Sabha. Respondent No.9 moved application dated 22.10.2024 to respondent No.2 to direct respondent No.4 to take control of the affairs of the Sabha. Respondent No.9 also approached this Court by way of *CWP-30820-2024* seeking direction to respondent No.4 to take control of the affairs of the Sabha. The President of the Sabha elected in 2022 expired on 30.11.2024. In meeting dated 13.01.2025, the Senior Vice President was appointed was appointed as acting President. His appointment was made with the consent



of private respondents. Pursuant to aforesaid meeting, Sabha and respondent No.9 filed application before respondent No.2 seeking withdrawal of order dated 07.05.2024. Respondent No.5 by way of undertaking dated 05.04.2025 undertook to withdraw all the applications as well as *CWP-30820-2024*. Respondent No.8 approached this Court by way of *CWP-33306-2025* seeking direction to District Administration to conduct fresh elections of the Sabha which has been disposed of vide order dated 09.04.2026. Respondent No.4 ignoring the submissions of the members issued notice dated 27.01.2026 constituting a team to takeover affairs of the Sabha. Respondent No.2 despite a spate of representations has not taken any action towards restoring normal functioning of the Sabha.

3. Learned State counsel on instructions from DRO, Malerkotla submits that impugned letter was issued to maintain law and order situation. At the relevant point of time, code of conduct was in force, thus, to avoid any eventuality the impugned order was passed. There is no intention of the authorities to manage affairs of the Sabha.

4. In the wake of statement of learned State counsel, the impugned order, henceforth, would be treated as non-existing.

5. Disposed of.

6. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

10.04.2026
SDK

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