



CWP-12264-2026

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

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CWP-12264-2026

Date of Decision: 29.04.2026

Irene Apartments Owners Association

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Saurav Bhatia, Advocate for the petitioner

Mr. Akshit Pathania, Assistant Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking:

- i. setting aside of order dated 09.04.2026 whereby respondent No.4 has stayed the election process;
- ii. direction to respondent No.2-Registrar of Societies, Haryana to decide its *Appeal No.81 of 2026* before expiry of the term of the Governing Body i.e. 04.05.2026;
- iii. direction to respondent No.4 to complete the election process; and
- iv. direction to respondent No.2 not to appoint any Administrator during the pendency of the petition.

2. The petitioner is a Society under the name and style of '*Irene Apartments Owners Association*'. Governing Body elections of the



petitioner-Society for the period 2024-26 were held in May' 2024. Some members of the Society filed application before respondent No.3-District Registrar, Firms and Societies, Gurugram which was disposed of vide order dated 09.01.2025 directing the Society to amend its bye-laws. The Annual General Meeting was held on 02.11.2025 which was held valid by respondent No.3 vide order dated 01.12.2025. The aforesaid order was assailed before respondent No.2 which remanded the matter to respondent No.3 vide order dated 06.01.2026 to pass fresh order and to verify the list of valid members of the society. Respondent No.3 without considering petitioner's response vide order dated 19.03.2026 appointed an Inquiry Officer to verify the membership list. Respondent No.3 in the interregnum vide order dated 30.03.2026 appointed a Returning Officer to conduct elections of the Governing Body whose term is going to expire on 04.05.2026. Respondent No.3 vide communication dated 03.05.2026 directed the appointed Returning Officer to submit his reply pursuant to which the Returning Officer vide order dated 09.04.2026 has kept the election process in abeyance. The Society filed appeal against communication dated 03.05.2026 before respondent No.2 which has not been adjudicated till date.

3. Learned counsel for the petitioner, during the course of hearing, submits that he confines his prayer to setting aside of order dated 09.04.2026 whereby Returning Officer has kept the elections in abeyance. He has no authority to keep the elections in abeyance. Respondent No.3 appointed him to complete elections whereas he, at his own, decided to keep the elections in abeyance.

4. Learned State counsel submits that Registrar of Societies has already adjudicated petitioner’s appeal, thus, present petition has rendered infructuous.

5. On being confronted with order dated 09.04.2026, learned State counsel expressed his inability to controvert that Returning Officer has no jurisdiction to keep elections in abeyance. He further submits that competent authority may be granted liberty to keep the elections in abeyance, if necessary.

6. In the wake of statement of both sides, order dated 09.04.2026 is hereby set aside to the extent of keeping the elections in abeyance. The Authorities are at liberty to proceed in accordance with law.

7. Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

29.04.2026
Mohit Kumar

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