



CWP-13595-2026

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

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CWP-13595-2026

Date of Decision: 04.05.2026

Gulab Kaur Hooda and another**...Petitioners**

Versus

The Registrar General of Societies, Haryana and others ...Respondents**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Sharad Choudhary, Advocate for the petitioners
Mr. Deepak Vashisth, Deputy Advocate General, Haryana
Mr. Pardeep Solath, Advocate for respondent No.4

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Article 226/227 of the Constitution of India are seeking direction to respondents to get deposited their pending maintenance amount in terms of letter/order dated 13.09.2019 whereby respondent No.3-District Registrar of Societies has mandated that if any member does not pay maintenance charges, the default amount shall be paid with simple interest and there is no provision of penalty/fine/interest in the approved Bye-Laws. They are further seeking direction to:

- i. respondents Nos.3 & 4 to comply with undertaking dated 17.08.2021 furnished in *CWP No.805 of 2020* to the effect that amendment in the Memorandum and Bye-Laws shall be made in terms of order date 05.08.2021 passed by State Registrar;



- ii. respondents to ensure compliance of notification dated 22.06.2018 and Rules 32 and 33 of Haryana Registration and Regulation of Societies Act, 2012 (for short '**2012 Act**'); and
- iii. respondent No.1 to decide representation dated 10.02.2026 in terms of letter dated 13.09.2019 in a time bound manner.

2. The petitioners are residents of Amravati Enclave (for short '**Society**'). They purchased a flat in the said society in October' 2018. The flats in Amravati Enclave are maintained by respondent No.4-Amravati Flats Residents Welfare Association (for short '**AFRWA**') Association registered in the year 2009. The tenants of Society took over the elected Governing Body *qua* which a complaint dated 04.08.2014 was filed before respondent No.3 but to no avail. Tenants got re-registered AFRWA on 12.08.2014 under Annexure-3 of 2012 Act. Elections of the Governing Body of AFRWA were challenged by the residents before respondent No.2-State Registrar who vide order dated 10.01.2019 set aside the elections and appointed an Administrator. The State Government vide notification dated 22.06.2018 amended Haryana Registration and Regulation of Societies Rules, 2012 (for short '**2012 Rules**') whereby Rules 32 and 33 were amended fixing maintenance charges on the basis of size of apartment. Elections of the Governing Body were challenged before this Court by way of *CWP No.805 of 2021*. During the pendency of the aforementioned petition, the respondent No.3 was directed by respondent No.2-State Registrar vide order dated 05.08.2021 to direct the President of AFRWA to conform with Model Bye-Laws as well as amended rules within two months.



The Governing Body shall get the amended Bye-Laws approved from District Registrar. The aforementioned petition was disposed of as infructuous vide order dated 17.08.2021 on the ground of undertaking by respondent No.3-District Registrar that the election schedule would be withdrawn and Bye-Laws would be amended in terms of order dated 05.08.2021. Respondent No.3-District Registrar despite undertaking before this Court and aforesaid order dated 05.08.2021 approved amended Bye-Laws which are not in consonance with the model Bye-Laws. The petitioners along with other residents assailed the voter list dated 26.08.2021 pursuant to which the elections were set aside by respondent No.1-Registrar General vide order dated 25.02.2026. In the said order, it was observed that amendment in Bye-Laws has been made without following due procedure and getting approved from General Body. The petitioners have paid monthly charges from 2018 to April' 2018. Respondent No.4-Society on 02.02.2026 asked the petitioners to deposit maintenance charges i.e. ₹80,400/- for the period from May' 2022 to February' 2026. The petitioners preferred representation dated 10.02.2026 asking the respondent-Society to disclose authority under which the said demand has been made. They pointed out notification dated 22.06.2018 and 2012 Act. The Registrar General vide letter dated 23.02.2026 has asked District Registrar to take action as per 2012 Act.

3. Learned counsel for the petitioners submits that petitioners have made representations to Authorities seeking redressal of their grievance *qua* maintenance charges. The respondent-Society is demanding exorbitant amount in the name of maintenance charges and interest/penalty.

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4. Mr. Pardeep Solath, Advocate appeared and filed his Power of Attorney on behalf of respondent No.4. The same is taken on record. Registry is directed to tag the same at an appropriate place.

5. Learned State counsel submits that respondent No.3-District Registrar of Societies, Panchkula would look into the matter and issue appropriate instructions to Society, if necessary. The needful would be done within 3 months from today. The petitioners would be granted opportunity of hearing, if necessary.

6. Learned counsel for the petitioners agrees to aforesaid arrangement.

7. In the wake of statement of both sides, the petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

04.05.2026*Mohit Kumar*

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