HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 23694 of 2026

Khushiram Pandey and 7 others

.....Petitioner(s)

Versus

State of U.P. and another

.....Respondent(s)

Along with :

1. **Writ - C No. 31892 of 2026:**

   Committee of Management Sri Jawahar Uchhtar Madhyamik Vidyalaya Shiksha Samiti and another

   Versus

   State of U.P. and 4 others

Counsel for Petitioner(s)	:	Gulrez Khan, Pratik Chandra, Shashank Shekhar
Counsel for Respondent(s)	:	C.S.C., Gulrez Khan

Court No. - 36

HON'BLE SAURABH SHYAM SHAMSHERY, J.

1. Heard Sri Gulrez Khan, learned counsel for petitioners in Writ-C No. 23694 of 2026, Sri Pratik Chandra, learned counsel for petitioners in Writ-C No. 31892 of 2026 and Sri R.P. Tiwari, learned Standing Counsel for State-Respondents.

2. The writ petitions are arising out of a dispute amongst rival elections set up for Committee of Management of Sri Jawahar Uchchtar Madhyamik Vidyalay Shiksha Samiti, Gohan, Jalaun.

3. By impugned order dated 22.05.2026 Assistant Registrar, Firms, Societies and Chits, Jhansi has not only set aside both rival elections but has also declared a list of eligible Members of General Body to be a valid list.

4. Learned counsel appearing for petitioners in Writ-C No. 23694 of 2026 is aggrieved by later part of impugned order whereby a list of eligible Members of General Body was declared valid on a ground that it was beyond jurisdiction of Assistant Registrar under Section 25(2) of Societies Registration Act, 1860.

5. Learned counsel appearing for petitioners in Writ-C No. 31892 of 2026, who have set up a claim for election, are aggrieved that their claim was rejected only on basis of a single line observations that they failed to produce substantial evidence in support of their claim, whereas according to him petitioners have filed detail objections which are annexed alongwith writ petition as Annexures 22 and 23 as well as that in case there was a dispute amongst the rival elections, the appropriate procedure ought to have been to refer the matter to Prescribed Authority, which has not been adopted.

6. In aforesaid circumstances, the Court finds that there is merit in the argument of both counsels for respective petitioners since from perusal of impugned order it is evident that Assistant Registrar has not given a thoughtful consideration to the objections filed by petitioners and in case of dispute matter ought to have referred to Prescribed Authority as well as there was no necessity to go into the dispute, if any, of eligible Members of General Body. Therefore, on both account, impugned order cannot sustain.

7. In view of above, impugned order dated 22.05.2026 is hereby set aside and matter is remitted to concerned respondent to pass a fresh order in the light of above observations considering scope of Section 25(2) of Societies Registration Act, 1860, after giving opportunity of hearing to all

concerned parties. The aforesaid proceedings shall be concluded within a period of three months.

8. With aforesaid observations and directions, both writ petitions are disposed of.

(Saurabh Shyam Shamshery,J.)

October 29, 2026
AK

Digitally signed by :-
AWADESH KUMAR
High Court of Judicature at Allahabad