

2025:PHHC:046732



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

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**CM-131-CWP-2025 &
RA-CW-8-2025 in
CWP-24308-2024
Date of Decision: 04.04.2025**

MAHARAJA AGGARSAIN TRUST (REGD.)

... Applicants

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Brijender Kaushik, Advocate for the applicants.

Ms. Tanisha Peshawaria, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

The writ petition was filed by Maharaja Aggarsain Trust challenging the order dated 09.09.2024 passed by the District Registrar of Firms and Societies, Jhajjar at Bahadurgarh dismissing the request of the petitioner dated 28.08.2024 for declaration of result of elections of the petitioner-Society held on 26.07.2015 on the ground that no specific orders had been issued by the High Court in its order dated 25.04.2024 regarding declaration of the result and that in the absence thereof, the result could not be declared.

A short reply had been filed by the District Registrar of Firms and Societies, Jhajjar at Bahadurgarh on behalf of respondent No.2, wherein it was stated the declaration of result had to be done by the Returning Officer and she, not being the Returning Officer, could not have done the needful. It was further stated that the election had been held in the year 2015 and the ballot boxes were

sealed and kept in the custody of SDM, Bahadurgarh in compliance to the interim order dated 24.07.2015 passed by this Court.

During the course of hearing, it was also suggested by the State Counsel that a fresh election should instead be conducted by the petitioner Trust, on the basis of the list of members finalized by the Office of District Registrar of Firms and Societies vide order dated 20.08.2024. The said suggestion of District Registrar, as submitted by the State, was accepted by the petitioner-Trust and accordingly, the petition was disposed of with the consent of the litigating parties after noticing that the declaration of result held in the year 2015, i.e. after a lapse of more than 9 years, would amount to reviving a stale cause and instead a fresh election may be held in a time bound manner.

The instant review application together with the application for seeking impleadment has now been filed by the applicants, who were already rejected as members of the petitioner-Trust by the District Registrar of Firms and Societies vide order dated 20.08.2024, for seeking review of the order dated 12.12.2024 passed by this Court in the main petition. The counsel for the applicants contends that the rights of the applicants are being prejudiced as a result of the initiation of process of fresh elections.

Heard.

I find that the instant review application is grossly misconceived. The order passed by this Court on 12.12.2024 was in no way an adjudication of the validity of the members inducted/accepted on 20.08.2024, and any such person aggrieved is always at a liberty to take recourse to an appropriate remedy as per law.

Even otherwise, it is also not disputed that even as on date, no appeal has been preferred by the petitioner-Trust against the decision of the District Registrar of Firms and Societies, Jhajjar at Bahadurgarh dated 20.08.2024 and that there is no stay on the order dated 20.08.2024 (supra). The list of the members finalized by the District Registrar was thus not under challenge and hence had the force of a final list as on the said date i.e. on 12.12.2024 and the position remains the same even today i.e. 04.04.2025. Hence, in the said circumstances, it does not call for any review of the order already passed by this Court.

In view of the above, the instant application as well as the application for seeking impleadment of the applicants in the main petition as respondents No.4 to 37 are hereby dismissed.

**(VINOD S. BHARDWAJ)
JUDGE**

APRIL 04, 2025.

Rajender

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No