
(2013) 08 P&H CK 0605

High Court Of Punjab And Haryana At Chandigarh

Case No: LPA-1451-2013 (O and M)

Jaspal Singh and
Others

APPELLANT

Vs

Registrar of Firms and
Societies, Punjab and
Others

RESPONDENT

Date of Decision: Aug. 19, 2013

Acts Referred:

- Constitution of India, 1950 - Article 226

Hon'ble Judges: Sanjay Kishan Kaul, C.J; Augustine George Masih, J

Bench: Division Bench

Advocate: M.S. Kang, for the Appellant;

Final Decision: Dismissed

Judgement

Sanjay Kishan Kaul, C.J.

The elections of the Managing Committee of the College Council were held almost 2 1/2 years back. The dispute pertains to certain members who were held ineligible to vote. In the writ proceedings filed under Article 226 of the Constitution of India, the learned Single Judge has opined vide impugned order dated 01.07.2013 that it is not a fit case to interfere with in exercise of extra-ordinary writ jurisdiction under Article 226 of the Constitution of India, primarily, for the following reasons:-

(i) The Committee has already completed the period of 2 1/2 years out of its 05 years" tenure.

(ii) The society being a private society, it may not be appropriate to exercise writ jurisdiction for judicial review [Executive Committee of Vaish Degree College, Shamli and Others Vs. Lakshmi Narain and Others](#), .

(iii) There is an alternative remedy which is available by way of an election petition.

(iv) In any case such disputes are best resolved in civil proceedings and the earlier dispute which led the proceedings right upto the Hon"ble Supreme Court and directions being issued to hold the elections also emanated from a civil suit.

We find all the four reasons unexceptionable to deny the petitioner a right under Article 226 of the Constitution of India and in the Letters Patent jurisdiction we are not inclined to interfere with the impugned order.

2. Dismissed.