


From

Dr. S.S. Rana, Principal for n.a.
& upload order on website of
TRES regarding election of
Society-2021.

District Registrar
Firms & Societies
Sonapat

To

Rajiv Dahiya S/o Sh. Nawal Singh,
Arya Nagar, Sonapat


26.10.2021
A.D.C- cum-Administrator
Tika Ram Education Society
Sonapat


Memo No.DIC/SNP/F&S/
Date:

Subject **Petition U/s 32/39 (3), (4) of HRRS Act, 2012 and HRRS
rules 2012 against the order dated 05-06.10.2021,
regarding the 2357 members of the society.**

On the subject noted above.

Please find herewith the copy of order passed on 25.10.2021
by the District Registrar, Sonapat.


Encl: As Above.


District Registrar
Firms & Societies
Sonapat

Endst. No.DIC/SNP/F&S/2086

Dated: 25/10/2021

✓ A copy of the above is forwarded to ADC-cum-
Administrator, Tika Ram Educational Society, Sonapat for information
and to ensure that the information must communicate to the two
persons mention in the order regarding the change in their Electoral
collage.


District Registrar
Firms & Societies
Sonapat

Before The District Registrar Firms & Societies, Sonapat under the
Haryana Registration & Regulation of Societies Act, 2012, Haryana.

Sh. Rajiv Dahiya S/o Sh. Nawal Singh R/o Arya Nagar, Near CRA
College, Sonapat, and also Ch. No 4 , District Court Complex, Sonipat.

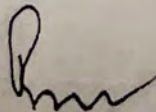
.....Petitioner

Versus

Tika Ram Education Society (Regd.) Sonapat through its Administrator
ADC, Sonipat, Mini Sectt., Gohana Road Sonipat and also at C.R.Z.
Sr.Sec.School, Sonipat.

.....Respondent

Petition U/s 32/ 39 (3), (4) of HRRS Act, 2012 and
HRRS rules 2012 against the order dated
05-06.10.2021, never delivered to General Public,
vide which the Administrator has wrongly prepared
voter list of 2357 members wrongly allocated into
105 collegiums , in which many members have not
included or included with wrong names or fathers
names, collegiums has been cast wrongly by
disturbing already fixed scheme on basis of
Alphabetical Geographic spread of members in
locality, cities, villages etc., not casted by average
numbers , on recommendation of DR, even without
deciding objections already filed within time, who
further has published new election schedule 2021
rather earlier election schedule 2020 is still
postponed and not cancelled till now.



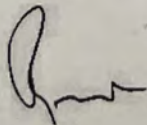
Present :

1. Sh. Rajiv Dahiya - Petitioner
2. Sh. Vishal Kumar Advocate & Sh. Naveen Ranga Advocate authorised person for Administrator ADC, Sonipat, Mini Sectt., Gohana Road Sonipat

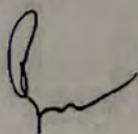
1. This petition has been filed under Section 32/39 (3),(4) of Haryana Registration & Regulation of Societies Act, 2012 by the petitioner who is a life member of the society, Sh. Rajiv Dahiya S/o Sh. Nawal Singh R/o Arya Nagar, Near CRA College, Sonapat, against the order dated 05-06.10.2021 passed by the Administrator ADC, Sonipat, Mini Sectt., Gohana Road Sonipat.

2. That the petitioner/ Applicant has made the following submissions in his petition that are as under:-

- i. That the petitioner is a life member of Tika Ram Education Society, Sonapat (registered as per HRRS Act, 2012). As such petitioner is interested in election and proper management of the society.
- ii. That Administrator has wrongly prepared voter list of 2357 members wrongly allocated into 105 collegiums, in which several members have not included or included with wrong names or fathers names, collegiums has been cast/determined wrongly by disturbing already fixed scheme on basis of Alphabetical, Geographic spread or members in locality, cities, villages etc., not casted by average numbers of members, on recommendation of DR, even without deciding objections already filed within time, in arbitrary manner with malafide



- intention and illegally, under a very calculated move only to give undue advantage and benefit to some interested members.
- iii. That DR has sent list of 2357 members to administrator for election who further has published new election schedule 2021 on 27-09-2021 in newspaper rather earlier election schedule 2020 dt 01-03-2020 is still postponed vide administrator order duly published in newspaper on or after dt 22-03-2020 and not cancelled till now in general public and this fresh subsequent election schedule dt 27-09-2021 and its proceedings like forming of Collegium etc are liable to be set aside.
 - iv. That applicant has filed an objection on dt 01-10-2021 before administrator regarding allocation of members in different collegiums on wrong basis and no order is passed by him even giving no opportunity to applicant to argue the matter or to give evidence and has passed no order till now in violation of Act and rules in fraudulent manner only to give advantage to Ex president.
 - v. That Similarly other members has filed their respective objections on dt 01-10-2021 (Attached herewith) before administrator regarding non inclusion of their names in voter list or otherwise included with their wrong names or fathers name in different collegiums on wrong basis and no order is passed by him even giving no opportunity to them to argue the matter or to give evidence and has passed no order till now in violation of Act and rules in fraudulent manner only to give advantage to Ex president and applicant is aggrieved person/member and has every right to challenge the decision of administrator and file the present petition on the following grounds-



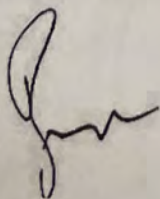
Grounds of petition

- A) That Administrator has not passed any order on the objections filled by petitioner on dt 01-10-2021 and applicant kept on rounds of his office with request for further proceedings but they made excuses on one pretext to other and in a fraudulent manner in a calculated move has started the election and never supplied the copy of order etc. to him and the fact was came to his knowledge on dt **07-10-2021** after publication of final voter list stating wrongly to be published on dt **05-06.10.2021**.
- B) That collegiums has been cast/formed/determined wrongly by disturbing already fixed scheme on basis of Alphabetical , Geographic spread of members in locality, cities, villages etc.. as 5 new members are wrongly included in Collegium no 3, 3 new members are wrongly included in Collegium no 4, 1 new member is wrongly included in Collegium no 6, 3 new members of Shalimar Bagh, Delhi are wrongly included in Collegium no 25 consisting of Sonipat village resident members, 1 new member of Tihar Khurd is wrongly included in Collegium no 30 consisting of Bhatagaon residents, 2 new members of Bayapur are wrongly included in Collegium no 35 consisting of other village residents, 4 new members of Jhajjar residents are wrongly included in Collegium no 36 consisting of Sonipat village residents, 8 new members of Najafgarh, Delhi are wrongly included in Collegium no 37 of Village Gopalpur Sonipat 4 new members of Delhi are wrongly included in Collegium no 38 or Guhna, Halalpur village of Sonipat, 3 new members of Delhi are wrongly included in Collegium no 39 of Halalpur village of Sonipat, 2 new members of Delhi are wrongly included in Collegium no 51 of Mandora village of Sonipat, 2

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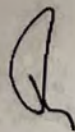
new members are wrongly included in Collegium no 54 by showing wrong address, 5 new members of are wrongly included in Collegium no 99 of Sonipat , 4 new members are wrongly included in Collegium no 102 all in violation of role 18 & Appendix-2.

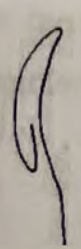
- C) That collegiums has been Cast/formed/determined wrongly by disturbing already fixed average scheme or members consisting of 24-25 members as new average comes 22-23 members but Collegium no 90 consisting of 15 members only, Collegium no 44, 49 consisting of 16 members only, Collegium no 43, 50, 61 consisting of 17 members only, Collegium no 41, 53, 54, 65, 100 consisting of 18 members only, Collegium no 55, 58, 67, 73, 85 consisting of 19 members only, Collegium no 46, 83 consisting of 20 members only. And has not been casted by average numbers, on recommendation of DR, even without deciding objections already filed within time, in arbitrary manner with malafide intention and illegally, under a very calculated move.
- D) That administrator has wrongly added new alleged 122 members (as per DR order) in various collegiums even ignoring previous Alphabetical, Geographical scheme of spread of members in locality by ignoring the fact that DR has declared them valid members only and not eligible for casting vote as until they get AGM approval. Hence these 122 members have been 1 wrongfully included in voter list and liable to be deleted from voter list of scheduled election.
- E) That administrator has ignored that previous governing body has failed to file AR in form X11 i.e . Collegium return. Hence administrator has no right to adjust any new member in any



collegiums until approval by AGM. in meeting of AGM and has now violated role -18 and has not got approval of collegiums in meeting of members or from DR or From State registrar all election is conducted in violation of Sec 32 of Act.

- F) That One Sh. Devi Singh Mann S/o. Sh. Tek Chand R/o. Hamidpur, Delhi is oldest member of society and his father name is published as Tara Chand instead of Tek Chand since long. Also in village Hamidpur, no other Devi Singh exists and he was also Chairman of Block Samiti but inadvertently his further name is wrongfully included as Tara Chand. His objection w.r.t. this was also not decided by administrator. Now his father correct name should be added as rectified.
- G) That one Sh. Ranvir Singh S/o. Sh. Partap Singh R/o. Nizampur Majra now Delhi is oldest member of society and his name is published as Rambir instead of Ranvir Singh. Also in village Nijampur Majra, no Rambir S/o. Sh. Partap Singh exists but inadvertently his name is wrongfully included as Rambir. His objection w.r.t. this was also not decided. Now his correct name should be added as rectified.
- H) That one Sh. Ajit Singh S/o. Sh. Dariyao Singh R/o. Rathdhana, is oldest member of society and his father name is published as Abhay Ram instead of Dariyao Singh since long. Also in village Rathdhana, no other Ajit Singh exists but inadvertently his father name is wrongfully included as Abhay Ram as some other member of Village Rathdhana named Luxmi Chand have his father as Abhey Ram and may be entered on wrong basis. His objection w.r.t. this was also not decided. Now his father correct name should be added as rectified.



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- I) That one Sh. Rajender Singh Malik S/o. Sh. Hukmi Ram R/o. Malviya Nagar now Sector 23, Sonipat is oldest member of society and his father name is published as Tek Ram instead of Hukmi Ram since long. Also in locality, no other Rajender Singh exists but inadvertently his father name is wrongfully included as Tek Ram. His objection w.r.t. this was also not decided. Now his father correct name should be added and rectified.
- J) That one Sh. Ranbir Singh Sh/o. Sh. Deep Chand R/o. Arya Nagar, Sonipat is oldest member of society and his name is published as Randhir Singh instead of Ranbir Singh. Also in Arya Nagar, his real borther Randhir Singh S/o. Sh. Deep Chand exists and is also member of society but inadvertently his name is wrongfully included as Randhir Singh. His objection w.r.t. this was also not decide. Now his correct name should be added and rectified. Although his name was already corrected by Administrator in voter list dt. 12.03.2011.
- K) That One Sh. Vijay Pal S/o. Sh. Lachman Singh R/o. Khewra now Arya Nagar Sonipat is oldest member of society and his father name is published as Sajjan Pal instead of Lachman Singh since long. Also in locality, no other Vijay Pal exists but inadvertently his father name is wrongfully included as Sajjan Pal, who was his uncle. His objection w.r.t. this was also not decided. Now his father correct name should be added and rectified.
- L) That One Sh. Raj Singh S/o. Sh. Sohan Lal R/o. Arya Nagar Sonipat now Sector - 13, Rohini, Delhi is oldest member of society and his name was allocated at Sr. No. 1931 in collegiums no 79 of voter list 2015 and also in earlier voter lists but now his name is wrongfully deleted by showing dead rather
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he is still alive. His objection w.r.t. this was also not decided. Now his name should be added in Collegium No. 79.

- M) That One Sh. Shyam Lal Kaushik S/o. Sh. Madan Gopal R/o. Bandedpur, Sonipat is oldest member of the society and his name was allocated at Sr. No. 632 in collegiums no 26 of voter list 2015 and also in earlier voter lists but now his name is wrongfully deleted by showing dead rather he is still alive. His objection w.r.t. this was also not decided. Now his name should be added in Collegiums No. 26.
- N) That Onw Sh. Aashish S/o. Sh. Maha Singh R/o. Nijampur Majra, Sonipat is oldest member of society and his name was allocated at Sr. No. 1423 in Collegiums No. 58 of voter list 2015 but now his name is wrongfully deleted by showing under imprisonment rather he has never committed any offence which falls in moral turpitude nor has convicted for any offence which comes moral turpitude. Rather his sentence is suspended by Hon'ble High Court in CRM - 7011-2021. Now his name should be added in Collegium No. 58.
- O) That One Sh. Ashok Clibabra S/o Sh. Parbhu Dayal Chhabra R/o Khanna colony. Sonipat is oldest member of society and his name was included in voter list up to 2003 and also he was executive member of society but now his name is wrongfully deleted without any reason. His objection w.r.t. this was also not decided. Now his name should be added in voter list.
- P) That One Sh. Om Parkash S/o Sh. Chander Bhan R/o Garhi Brahmanan Sonipat is oldest member of society and his name was allocated in collegiums no 83 of voter list 2015 but now his father name was also entered wrongfully as Harnam and now his name is deleted by showing dead rather he is still alive. His

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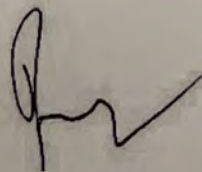
objection w.r.t. this was also not decided. Now his name with correct father name should be added in Collegium no 83.

Q) That One Smt. Saroj Malik S/o Sh. Ram Phal Malik R/o Inderpuri now Model Town Sonipat is oldest member of society and her name was wrongfully deleted Rather she has original membership payment receipt. Now his name should be added in voter list .

R) That One Smt. Sunita W/o Sh, Yogender Pal Singh R/o Atlas Road, Sonipat is oldest member of society and her name was included at Sr. No. 2003 in voter list 2006 and also she is working within T.R. Girls College Sonipat and has marital dispute with her husband and living separately but now her name is wrongfully deleted without any reason. Now her name should be added.

1. That from the above grounds or petition the following questions are arisen out which the Hon'ble authority has to decide-

- i. Whether whenever first election schedule 2020 is postponed, than issuance of a fresh election schedule 2021 is legal or void.
- ii. Whether already established collegiums pattern can be disturbed before 15 years by administrator in violation or **sec 32(3)**.
- iii. Whether Administrator has followed the existing pattern of formation of collegiums with alphabet, geographic scheme of spread of members in area. If not to what effect, Would it lead any fair election.
- iv. Whether new members can be added in voter list without their approval by AGM. Is there any difference between member without voting right and member with voting right.



- v. Whether formation or collegiums without maintain average numbers of members is maintainable to such extent that vary from 15 members to 24 members.
- vi. Whether formation or collegiums by administrator without approval of members or DR or SR is legal one.
- vii. Whether members can be added who were non included in voter list due to any reason never conveyed to them.
- viii. Whether wrong adduction of new members in wrong collegiums is permissible in violation of Act and rules.
2. That applicant/ petitioner being life member of society is aggrieved person with the list of members published on dt 07-10-2021 by showing wrongly on 05-06/10/2021 by administrator due to non-clusion of above said members and also wrongful inclusion of 122 new members even without approval of AGM and having no voting right and also wrongfully included in wrong collegiums contrary to already adopted alphabetical, geographic spread of members in area, locality, cities, villages etc. all in violation of Act and rules. The petitioner has come to knowledge this fact on dated 07-10-2021 when election voter list was finalized by administrator and published in general public.
3. That the DR is required to hold the election process in abeyance and proceed to conduct an enquiry for determining list of eligible members and further allocated in proper collegiums as per already adopted pattern and in cansosance with Act and rules 18 and appendix 2.

This petition is filed well within time on Dt 21.10.2021 being net working day as earlier day i.e. 20.10.2021 was holiday on account of Balmiki Jayanti.

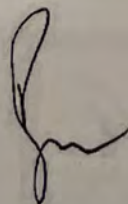


It is, therefore, prayed that keeping in view the above submissions and grounds, the arbitrary and illegal act/ order of the Administrator dt. 07.10.2021 wrongly shown on dt. **05-06.10.2021** may kindly be set aside and name of already deleted members, as sated above, may kindly be added within the list of members for voting and collegiums already cast/ formed should be reconstituted or re-casted as per already adopted alphabetical, geographic scheme of members in area and also as per framed rules and provisions of Act by using powers vests in Act, It is also prayed that respondent also may kindly be restrained to conduct a fresh election on the basis of addition of new 122 members in wrong collegiums, who have been wrongly added to the different collegiums in violation of alphabetical, geographic scheme of members, and including all 122 members wrongly in various collegiums and also name of many members has been deleted by showing them dead or without any reason while they are still alive in the interest of equity and justice. It is further prayed to delete the names of 122 members newly added from the voter list of members forever being not approved by AGM and added in violation of law. It is further prayed to determine the list of members eligible to vote.

3. That the Respondent has made the following submissions in his Reply/written statements that are as under:-

Preliminary Objections:


1. That the present petition is not maintainable being third party objections are raised in the petition. The petitioner has no locus- standi to file the present petition. The same is mere abuse of the process of law.



2. That the present petition is hopelessly time barred as the same has been filed after the expiry of the 15 days from as provided in the Haryana Registration and Regulation of Societies Act 2012 (*for short hereinafter referred to as 'HRRS Act'*).
3. That the present election process is initiated by the respondent in compliance of order passed by Punjab and Haryana High Court in CWP No. 33333 of 2019 and COCP No., pending adjudication.
4. That the above submissions which are made without prejudice to the following submissions and are also independent having the liberty to press any or more further grounds, which may crop up in between the times, and which may potentially be construed as prejudicial to the fiercely protected legal rights of respondent.

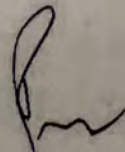
Parawise reply:

1. That in reply to the contents of para no.1 of the petition it is stated that the petitioner has not annexed any supporting document in reference to the averment made in this para. Thus, the respondent disputes the right of the petitioner to file the present petition.
2. That the contents of para no. 2 of the petition as stated are wrong and denied. The determination of the electoral colleges of the society is in accordance with the General guidelines as provided in Appendix-2 (Reference Rule 18) HRRS Rules 2012. As a matter of fact, the Governing body of the Society has determined and finalized the constitution of the electoral colleges in the year 2015, which became part and parcel of the bylaws of the society. The present change, if any in the electoral colleges made that is due to the outgo/Death and induction of the new members, which is also made on the basis of geographical location (Address) of the newly inducted members, without disturbing the previous alphabetic list of electoral colleges. Pertinently, the respondent



has not disturbed any electoral college in any manner as alleged in this para of the petition and all the allegations are misconceived and baseless.

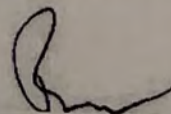
3. That in reply to the contents of para no. 3 of the petition it is submitted that the earlier publication of the Society election was disrupted in view of guidelines issued by the Government under Disaster Management Act, due to the spread of COVID-19 pandemic. Thus, the new schedule of the society was published by the respondent on 28.09.2021.
4. That in reply to the contents of para no. 4 of the petition it is submitted that as per the HRRS Act and the Rules framed thereunder the respondent invited applications through e-mail, from the members, only for clerical mistakes/correction in the names in the voter lists published on 28.09.2021 in the newspapers 'The Tribune' and 'Dainik Bhaskar'. The petitioner sent the e-mail to the respondent regarding wrongly constituted electoral colleges of the society, which was found not maintainable and the respondent vide order dated 05.10.2021 rejected the application/request of the petitioner. Moreover, the petitioner in application/e-mail did not mention any detail of the electoral colleges, which have been wrongly constituted.
5. That the contents of the para no.5 of the application as stated are wrong and denied. The applications were considered by the respondent on the basis of documents attached with the applications and appropriate orders were passed thereon and after correction in the list the same was duly communicated to the office of District Registrar Firms and Societies Sonapat. It is pertinent to mention here that the final list was also uploaded on the website mentioned in the publication of election schedule.



Reply to the Grounds of Appeal:

- A. That the contents of this para of the petition are wrong and denied. The petitioner sent the e-mail to the respondent regarding wrongly constituted electoral colleges of the society, which was found not maintainable and the respondent vide order dated 05.10.2021 rejected the application/request of the petitioner. Moreover, the petitioner in application/e-mail did not mention any detail of the electoral colleges, which have been wrongly constituted and just submitted vague and misleading averment. The applications were duly considered by the respondent on the basis of attached documents and appropriate orders were passed thereon. After correction in the list the same was duly communicated to the office of District Registrar Firms and Societies Sonipat.
- B. That the contents of this para of the petition are wrong and denied. The determination of the electoral colleges of the society is in accordance with the General guidelines as provided in Appendix-2 (Reference Rule 18) HRRS Rules 2012. As a matter of fact, the Governing body of the Society has determined and finalized the constitution of the electoral colleges in the year 2015, which became part and parcel of the bylaws of the society. The present change, if any in the electoral colleges is made that is due to the outgo/Death and induction of the new members, which is also made on the basis of geographical location (Address) of the newly inducted members, without disturbing the previous alphabetic list of electoral colleges. Pertinently, the respondent has not disturbed any electoral college in any manner as alleged in this para of the petition and all the allegations are misconceived and baseless.

It is wrong to allege that 5 new members are wrongly included in the electoral college no. 3. Infact, 3 members out of these 5 members are from village Bawana and other two are from village Jatkhori and Naya Bans, (Narela City/Sub Division) North Delhi. Thus, they have been



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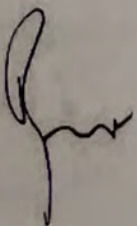
inducted in the electoral college no. 3 being related to Narela Sub-Division area, as per geographical conditions.

It is wrong to allege that 3 new members are wrongly included in the electoral college no. 4. Infact, 2 members out of these 3 members are from Narela and other one is from village Holambi Kalan, (Narela City/Sub Division) North Delhi. Thus, they have been inducted in the electoral college no. 4 being related to Narela Sub-Division area as per geographical conditions.

It is wrong to allege that 1 new member is wrongly included in the electoral college no. 6. Infact, the member is from Narela City/Sub Division North Delhi. Thus, he has been inducted in the electoral college no. 6 being related to Narela/Rohini Sub-Division are in North Delhi as per geographical conditions.

It is wrong to allege that 3 new members are wrongly included in the electoral college no. 25. Infact, the members are from Shalimar Bagh North Delhi. Thus, they have been inducted in the electoral college no. 25 being nearest available collegium as per geographical conditions related. In the electoral college no. 25, the members are from village Badkalsa, Akbarpur Barota and Bahalgarh of District Sonapat and in geographical conditions village Badkalsa and Akbarpur Barota are within the distance under 20 Km from Shalimar Bagh. Pertinently, the other electoral colleges pertaining to geographical conditions of Delhi does not have enough space to accommodate these new members. Thus, they have been adjusted in the electoral college of border area village of Haryana.

It is wrong to allege that 1 new member is wrongly included in the electoral college no. 30. Infact, the member is from village Tihar Khurd, which is nearby village Bhatgaon and Bhidlan. The electoral college no. 30 belongs to village Bhatana Jafrabad, Bhatgaon, Bhawapur, Bhigan



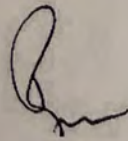
and Bhidlan. Thus, he has been inducted in the electoral college no. 30 being resident of village Tihar Khurd as per geographical conditions and available space in the electoral college.

It is wrong to allege that 2 new members are wrongly included in the electoral college no. 35. In fact, the members are from village Baiyanpur and the electoral college no. 35 belongs to village Farmana which is near to the village Baiyanpur. As the proper electoral colleges no. 27 and 28 of village Baiyanpur have no available space. Thus, they have been inducted in the electoral college no. 35 as per nearest geographical conditions within District and available space in the electoral college.

It is wrong to allege that 4 new members are wrongly included in the electoral college no. 36. In fact, the members are from village Dubaldhan Bidhan (Jhajjar) and the electoral college no. 36 belongs to village Gopalpur Kharkhoda. They have been inducted in the electoral college no. 36 as per nearest available geographical conditions and available space in the electoral college.

It is wrong to allege that 8 new members are wrongly included in the electoral college no. 37. In fact, the members are from village Najafgarh, Hiran Kudna and Rani Khara Border Village of Delhi. They have been inducted in the electoral college no. 37 as per nearest available area and geographical conditions keeping in view available space in the electoral college.

It is wrong to allege that 4 new members are wrongly included in the electoral college no. 38. In fact, the members are from village Ghewra and Narela of Delhi and this electoral college has 11 members from village Halalpur which is within reach of 2 KM from Ghewra and Narela. Thus, they have been inducted in the electoral college no. 38 as per nearest available area and geographical conditions keeping in view available space in the electoral college.



It is wrong to allege that 3 new members are wrongly included in the electoral college no. 39. Infact, the members are from Punjabi Bagh Delhi. They have been inducted in this electoral college no. 39 as per nearest available area and geographical conditions keeping in view available space in the electoral college.

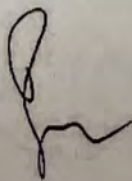
It is wrong to allege that 2 new members are wrongly included in the electoral college no. 51. Infact, the members are from Rohini Delhi. They have been inducted in this electoral college no. 51 as this electoral college have 13 members from village Mandora which is nearest available area as per geographical conditions and available space in the electoral college.

It is wrong to allege that 2 new members are wrongly included in the electoral college no. 54 by showing wrong address. Infact, the members are from villageMahlanaas per their mentioned address and the electoral college no. 54 already have 10 members of village Mahlana. Thus, they have been inducted in this electoral college no. 54keeping in view the address proof and related documents.

It is wrong to allege that 5 new members are wrongly included in the electoral college no. 99. Infact, the members are from city Sonipat. They have been inducted in the electoral college no. 99 as per nearest available area and geographical conditions keeping in view available space in the electoral college.

It is wrong to allege that 4 new members are wrongly included in the electoral college no. 102. Infact, the members are from city Sonipat. They have been inducted in the electoral college no. 102 as per nearest available area and geographical conditions keeping in view available space in the electoral college.

It is wrong to allege that the induction of the members has been made in violation of the rules framed under HRRS Act.



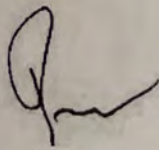
- C. That the contents of this para of the petition is wrong and denied. The determination of the electoral colleges of the society is in accordance with the General guidelines as provided in Appendix-2 (Reference Rule 18) HRRS Rules 2012. As a matter of fact, the Governing body of the Society has determined and finalized the constitution of the electoral colleges in the year 2015, which became part and parcel of the bylaws of the society. The present change, if any in the electoral colleges is made that is due to the outgo/Death and induction of the new members, which is also made on the basis of geographical location (Address) of the newly inducted members, without disturbing the previous alphabetic list of electoral colleges. The respondent is not supposed to maintain the average number of members in any electoral college, as once the electoral college is determined the same could not be disturbed for a term of 15 years as provided in rules.
- D. That the contents of this para of the petition as stated are wrong and denied. As per the Article 6 of Society by -laws:

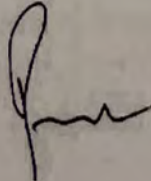
6. General Body:

(1) Every person admitted as a member shall be a member of the society and shall be entitled to cast his/her vote for the election of collegium unless he/she is in the arrears of payment of any dues of the Society.

Thus, the newly inducted 122 members who have been finalized by District Registrar Sonipat in view of order passed by State Registrar in Appeal No. 814 of 2020.

- E. That the contents of this para of the petition as stated are wrong and denied. As stated above, the newly inducted 122 members have been finalized by District Registrar Sonipat in view of order passed by State Registrar in Appeal No. 814 of 2020.



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- F. That the contents of this para of the petition are wrong and denied. The representation filed by said Devi Singh is decided by the Respondent vide order dated 05.10.2021, wherein the claim of the said Devi Singh was rejected by the respondent as 'NO SUBSTANTIAL AND REASONABLE PROOF' is submitted. Pertinently the name of Devi Singh S/o Tarachand is continuing in the Electoral List of the society since the year 2006, 2011, and 2015.
- G. That the contents of this para of the petition are wrong and denied. The representation filed by said Ranvir Singh is decided by the Respondent vide order dated 05.10.2021, wherein the claim of the said Ranvir Singh was rejected by the respondent as 'NO SUBSTANTIAL PROOF' is submitted. The identity proof furnished with the application was found doubtful having different name and address.
- H. That the contents of this para of the petition are wrong and denied. The representation filed by said Ajit Singh is decided by the Respondent vide order dated 05.10.2021, wherein the claim of the said Ajit Singh was rejected by the respondent as 'NAME IS NOT IN THE VOTER LIST OF THE SOCIETY IN 2015'. Thus, the same was not included in the present Electoral List. Moreover, applications for corrections/clerical mistakes in the names were invited and name change is not permitted under the rules. Besides this, the identity proof furnished with the application was found doubtful having different name and address.
- I. That the contents of this para of the petition are wrong and denied. The representation filed by said Rajender Singh Malik is decided by the Respondent vide order dated 05.10.2021, wherein the claim of the said Rajender Singh Malik was rejected by the respondent as 'NAME IS NOT IN THE VOTER LIST OF THE SOCIETY IN 2015'. Thus, the same was not included in the present Electoral List. Moreover, applications for corrections/clerical mistakes in the names were invited and name change is not permitted under the rules. Besides this, the identity proof
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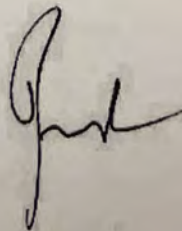
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furnished with the application was found doubtful having different name and address.

- J. That the contents of this para of the petition are wrong and denied. The representation filed by said Ranbir Singh is decided by the Respondent vide order dated 05.10.2021, wherein the claim of the said Randhir Singh was rejected by the respondent as 'YOUR NAME IS NOT IN THE VOTER LIST PROVIDED BY DISTRICT REGISTRAR FOR THE ELECTION 2021'. Thus, the same was not included in the present Electoral List. Moreover, applications for corrections/ clerical mistakes in the names were invited and name change is not permitted under the rules.
- K. That the contents of this para of the petition are wrong and denied. The representation filed by said Vijay Pal is decided by the Respondent vide order dated 05.10.2021, wherein the claim of the said Vijay Pal was rejected by the respondent as 'NAME IS NOT IN THE VOTER LIST OF THE SOCIETY IN 2015'. Thus, the same was not included in the present Electoral List. Besides this, the identity proof furnished with the application was found doubtful having different name and address. This applicant tried to impersonate another member's identity who is at voter no. 1801 having similar name Vijay Pal s/o Sajjan Pal. Thus, tried to misconceive and misled the respondent by submitting false claim.
- L. That the contents of this para of the petition are wrong and denied. The representation filed by said Vijay Pal is decided by the Respondent vide order dated 05.10.2021, wherein the claim of the said Vijay Pal was rejected by the respondent as 'NAME WAS DELETED AGAINST SERIAL NO. 179 IN THE LIST OF DECEASED VOTERS. AS PER AVAILABLE RECORD NO CLAIM WAS MADE IN THE PRESCRIBED PERIOD AGAINST THIS LIST.' Thus, the same was not included in the present Electoral List. Besides this, the identity proof furnished with the application was found doubtful address. This applicant tried to impersonate another member's identity who is at voter no. 1931 in the

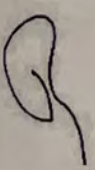
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list of 2015 having similar name as Raj Singh S/o Sohan Lal. Thus, tried to misconceive and misled the respondent by submitting false claim.

- M. That the contents of this para of the petition as stated are wrong and denied. The representation filed by said Shyam Lal is decided by the Respondent vide order dated 05.10.2021, wherein the claim of the said Shyam Lal was Accepted.
- N. That the contents of this para of the petition as stated are wrong and denied. The name of the said Ashish was struck down from the membership list by the governing body due the conviction and sentence passed against him. However, the name was inadvertently found added in the voter list in college No. 58 at Sr. no. 1324, which stand deleted vide order dated 05.10.2021 and communication to the District Register Sonipat vide ref. no. 1041 dated 06.10.2021.
- O. That the contents of this para of the petition as stated are wrong and denied. The representation filed by said Ashok Chabra is decided by the Respondent vide order dated 05.10.2021, wherein the claim of the said Ashok Chabra was rejected by the respondent as 'NAME IS NOT IN THE VOTER LIST OF THE SOCIETY IN 2015'. Thus, the same was not included in the present Electoral List. Besides this, the identity proof furnished with the application was found doubtful having different name and address. Thus, tried to misconceive and misled the respondent by submitting false claim.
- P. That the contents of this para of the petition as stated are wrong and denied. The representation filed by said Om Parkash is decided by the Respondent vide order dated 05.10.2021, wherein the claim of the said Om Parkash was rejected by the respondent as 'NAME IS NOT IN THE VOTER LIST OF THE SOCIETY IN 2015'. Thus, the same was not included in the present Electoral List. Besides this, the identity proof



furnished with the application was found doubtful having different name and address. Thus, tried to misconceive and misled the respondent by submitting false claim.

- Q. That the contents of this para of the petition as stated are wrong and denied. The said Smt. Saroj Malik did not file any representation/claim regarding the membership. Thus, the same is not considered.
- R. That the contents of this para of the petition as stated are wrong and denied. The said Smt. Sunita did not file any representation/ claim regarding the membership. Thus, the same is not considered.
6. That the contents of this para of the petition are wrong and vehemently denied. The entire petition is false, baseless and concocted. The same is based upon misconceived and fabricated facts and documents just to cause hindrance in the smooth running of election process of the society. Thus, the petition deserve dismissal in view of reply submitted by the respondents.
7. That the contents of this para of the petition are wrong and vehemently denied. The petitioner has no locus-standi to file the present petition as no aggrieved person; if any, has come forward for the redressal of grievance. The petitioner filed the present petition with the ulterior motive to disturb the election process. The detail and comprehensive reply have already been filed in the forgoing paras of this reply.
8. That the contents of this para of the petition are wrong and vehemently denied. On the one hand the petitioner is showing interest in election and on the other hand requesting to hold the election process. The stand taken by the petitioner is itself inconsistent and contradictory. Infact, the petitioner and his counsel are habitual litigants against the society and not interested in free and fair elections of the society.
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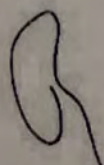
That the present petition is hopelessly time barred as the same has been filed after the expiry of the 15 days from as provided in section 39 (3) and (4) of the Haryana Registration and Regulation of Societies Act 2012.

That the respondent craves leave to add, alter and amend the averments, submissions as and when required with the permission of the authority in the nature and circumstances of the case.

With reference to prayer clause of the petition the respondent submits that the petitioner is not entitled to any such relief/s in view of facts mentioned in the reply of respondent. In view of the above-mentioned circumstances, the petition filed by the petitioner is false, vexatious, fictitious, frivolous, misconceived and illegal, filed with ulterior motive and bad in law and without cause of action hence not maintainable and should be dismissed with cost being devoid of merits. It is therefore prayed accordingly.

4. Notices were given to both the parties for hearing on 25.10.2021. Both were present and heard in detail. After going through the petition filed by Sh. Rajiv Dahiya and reply submitted by Respondent and perusal of the record of the society and keeping in the view of provisions of HR&RS Act, 2012 & Rules framed therein and the bye laws/constitution of the said society it is observed that:-

That as per Section 39(3) of HR&RS Act, 2012 a petition is to be filed within 15 days of publication of the list which was published on 05.10.2021 and petition should be reached to this office within 15 days i.e. 19.10.2021 but petitioner have failed to submit the petition within the time frame and petitioner have submitted the petition in this office on 22.10.2021. However, by taking lenient view, I am condoning the delay.

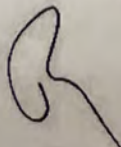


5. That as per Haryana Registration & Regulation of Societies Act, 2012 Section 39 is reproduced as under :-

(3) On the day the elections of a Society are notified, the Governing Body or the adhoc body or the Administrator, as the case may be, shall publish the list of members entitled to vote. Such list of members shall be made available to a member on demand, on payment of such fee, as may be prescribed by the Society in its Bye-laws.

(4) Any person or group of persons, if aggrieved with the list of members published under sub-section (3) above on account of non-inclusion or wrongful inclusion of any member, may file a petition with the District Registrar stating the specific grounds of challenge within a period of fifteen days of publication of the list of members. The District Registrar may, where the number of members is very large and for reasons to be recorded, accept the petition within an extended period of seven days.

6. That Haryana Registration & Regulation of Societies Act, 2012, Section 32 a scheme of collegiums was approved by State Registrar of Societies, Haryana, Chandigarh in the year 2015 and according to that scheme collegiums were framed and election of the society took place in the year 2015 on the approved collegiums scheme. After that the elections, 122 members were included in the general body list by the then Governing Body. Now, these 122 life members are allocated respective collegiums as per the approved collegiums scheme by the State Registrar of Societies, Haryana, and Chandigarh. As per Section 39(4) of HR&RS Act, 2012 that deals only in wrongfully inclusion/deletion of life members, so as per this petition I, ordered to make following below corrections only.

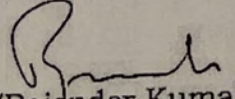


- i) Sh. Yogender Singh S/o Sh. Sukhbir Singh Resident of village Naya Bans presently shown in collegiums No.3 should be included in collegiums No.6
- ii) Smt. Kavita W/o of Sh. Jai Prakash resident of village Tihar Khuard, presently shown in collegiums No.30 should be included in collegiums No. 74.

In view of the above, I, Rajender Kumar, District Registrar of Societies, Sonapat hereby disposed of this petition accordingly as above.

Orders be communicated to all the concerned.

Place Sonipat
Dated: 25.10.2021


(Rajender Kumar) 25.10.21
District Registrar of societies
Sonapat