
(2021) 12 CHH CK 0017

In the Chhattisgarh High Court

Case No : Writ Petition (Civil) No. 5172 Of 2021

Umashankar Shukla

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 20-12-2021

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2021) 12 CHH CK 0017

Hon'ble Judges : P. Sam Koshy, J

Bench : Single Bench

Judgement

1. The present writ petition seems to be challenging the validity and veracity of the order dated 30.10.2020 one passed by the respondent no.2 by constituting the Committee of Government Officers to conduct the Election of the Association of the Bastar Jila Patrakar Sangh.

2. At the outset, this Court is of the opinion that the issue involved in the writ petition is not one which could be seized under the Writ Jurisdiction of this Court under Article 226 of the Constitution of India. The matter pertains to the election of the Patrakar Sangh which is a body registered under the Chhattisgarh Societies Registration Act, under the said Act, it is the Registrar of the said Societies Registration Act who had been given all the powers for redressal of the dispute and also for the conduct of an enquiry in respect of an elected body. Registrar also has a power to constitute a Committee to manage an affair to the effect in the event the earlier office bearers become defunct or under any other circumstance.

3. Given the fact that Societies Registration Act has a statutory provision for redressal of their grievances which the petitioner has not availed and petitioner has straightaway filed the present writ petition assailing the order of the Collector on the ground of the power and competence of the Collector. The said issue is also one which can be looked into by the Registrar which is the authority notified under the Act to redress the grievance in respect of the Societies

registered under the Societies Registration Act.

4. Reserving the right of the petitioner to avail such remedies available under the Act ventilating his grievances, the writ petition at this juncture stands rejected as not maintainable.

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