



2025:AHC-LKO:86208

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 12312 of 2025

Arya Pratinidhi Sabha Thru. President Pradhan Dr.
Ram Ratan Chaturvedi And Another

.....Petitioner(s)

Versus

State Of U.P. Thru. Its Addl. Chief/Prin. Secy.
Deptt. Of Finance Lko. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Santosh Kumar Tripathi, Harsh Vardhan Mehrotra, Maria Fatima
Counsel for Respondent(s)	: C.S.C., Ashwani Kumar, Karunanidhi Yadav

Court No. - 17

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Sri Gaurav Mehrotra, Senior Advocate assisted by Ms. Manjari, Advocate, the learned counsel for the petitioner, Sri S.K. Khare, the learned Standing Counsel for the State of U.P., Sri Kapil Deo, Senior Advocate assisted by Sri Ashwani Kumar, Advocate for Sri Bhuvan Tiwari, the opposite party no. 6 and Sri Karuna Nidhi Yadav, the learned counsel for the opposite party no. 4.

2. The learned counsel for the petitioner has stated that the opposite parties no. 5 Sri Vivek Singh has been impleaded in proforma capacity and therefore, there is no need to issue any notice to him.

3. The aforesaid writ petition has been filed challenging validity of an order dated 05.12.2025 passed by the Deputy Registrar, Firms, Societies and Chits, Lucknow Division, Lucknow under Section 25(1) of the Societies Registration Act holding that the election of Arya Pratinidhi Sabha conducted on 27.03.2021, in which Sri Bhuvan Tiwari has been elected as Pradhan, was conducted in accordance with law. The election held on 27.03.2021, in which Sri Ram Ratan Chaturvedi -the petitioner no. 2 was elected and the election held on 21.03.2021 in which Devendra Pal Verma (the petitioner no. 2 in Writ C No. 12346 of 2025 which has also been heard with this writ petition and is being decided on similar terms) was elected are unauthorized and void.

4. The learned counsel for the petitioners have submitted that the Deputy Registrar had no jurisdiction to pass any order regarding validity of elections and such a dispute can only be referred by the Deputy Registrar for adjudication to the prescribed authority. As the Deputy Registrar has himself decided the validity of elections, the order is without jurisdiction.

5. Although the learned counsel for the parties have advanced elaborate submissions, they could not dispute the legal position that an election dispute cannot be decided by the Deputy Registrar and it can only be decided by the Prescribed Authority under Section 25 of the Societies Registration Act.

6. The apprehension expressed by the learned counsel for the opposite party Bhuwan Tiwari and the learned counsel for Devendra Pal Verma is that till the time the election dispute is decided by the Prescribed Authority, no action adverse to the interests of the society may be taken by the persons in charge of the affairs of the society in the interregnum period.

7. The aforesaid apprehension of the learned counsel for the opposite party and the learned counsel for the petitioner appears to have substance.

8. Accordingly, both the writ petitions are ***allowed***. The impugned order dated 05.12.2025 passed by the Deputy Registrar (Annexure No. 1 to the writ petition) is quashed.

9. The Deputy Registrar is directed to refer the election dispute to the Prescribed Authority under Section 25 of the Societies Registration Act. The Prescribed Authority shall decide the dispute expeditiously. As the term of the Managing Committee would expire in the month of March, 2026, it is directed that the Prescribed Authority shall make every endeavour to conclude the proceedings within a period of two months and shall ensure that the proceedings are not rendered infructuous by efflux of time. The Prescribed Authority shall decide the dispute after giving an opportunity of hearing to the affected parties and after taking into consideration all the pleas raised by the authorities.

10. It is further directed that in the meanwhile, the Managing Committee of the Society will manage the day to day affairs of the society in a proper manner and shall not create any third party interests in respect of the properties of the Society and shall not take any policy decisions which may cause prejudice to the interests of the other parties during continuance of the litigation before the Prescribed Authority.

(Subhash Vidyarthi,J.)

December 19, 2025

Pradeep/-