



2026:AHC-LKO:50470-DB

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**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL No. - 74 of 2026

**Arya Pratinidhi Sabha, Thru. its Pradhan
Devendra Pal Verma and another**

.....Appellant(s)

Versus

**State of U.P. Thru. its Addl. Chief/ Prin. Secy.
Deptt. of Finance Lko. and 6 others**

.....Respondent(s)

Counsel for Appellant(s)	: Atul Kumar Dwivedi,
Counsel for Respondent(s)	: C.S.C., Ashwani Kumar, Harsh Vardhan Mehrotra, Maria Fatima, Mohammad Fahad, Mohammad Shameem Rizvi, Prateek Pal Singh, Shubhi Sharma

Along with :

Special Appeal No. 30 of 2026:

Arya Pratinidhi Sabha Thru. its Pradhan Devendra Pal Verma
and another

Versus

State of U.P. Thru. Addl. Chief Secy. Institutional Finance and
3 others

Court No. - 3

HON'BLE SHEKHAR B. SARAF, J.
HON'BLE ABDHESH KUMAR CHAUDHARY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.: Heard Shri Sandeep Dixit, learned Senior Counsel, assisted by Shri Atul Kumar Dwivedi, appearing on behalf of the appellants, Shri Gaurav Mehrotra, learned Senior Counsel, assisted by Ms. Manjari, Advocate, Shri Sameer Kalia, learned Senior Counsel, assisted by Ms. Shameem Rizvi and Subhi Sharma and Shri Prateek Pal Singh, learned counsels appearing on behalf of respondents.

Prologue

2. The present two special appeals have been preferred by the appellants under Chapter VIII, Rule 5 of the Allahabad High Court Rules, 1952 interdicting two separate orders of same date i.e. 19.12.2025, passed by the learned Single Judge in:

- (i) Writ-C No. 12312 of 2025 (*Arya Pratinidhi Sabha Thru. President Pradhan, Dr. Ram Ratan Chaturvedi and Another vs. State of U.P. and others*); and
- (ii) Writ-C No. 12346 of 2025 (*Arya Pratinidhi Sabha Thru. Pradhan, Devendra Pal Verma and Another vs. State of U.P. and others*).

The facts and circumstances involved in both the special appeals are common and relating to the affairs of the society-'Arya Pratinidhi Sabha' and moreover the aforesaid two impugned orders passed in their respective writ petitions arises out of a common order dated 05.12.2025 passed by the Deputy Registrar, Firms, Societies and Chits, Lucknow Division, Lucknow. Therefore, both these Special Appeals have been heard together and as such they are being decided by this common judgment.

Factual Matrix

3. Succinctly, the facts as per the Appellant would be that 'Arya Samaj' was founded by Swami Dayanand Saraswati in the year 1875 with the primary objective of promoting the social, spiritual and cultural upliftment of the society. It has a four-tier organizational structure comprising: (i) the Sarvadeshik Arya Pratinidhi Sabha, (ii) the Pradeshik Arya Pratinidhi Sabha, (iii) the Zila Arya Pratinidhi Sabha, and (iv) the Arya Samaj Units.

4. There are approximately 300 registered Arya Samaj Units functioning across various districts of Uttar Pradesh. These Units constitute the electoral college for the election of the General Body of the Pradeshik Arya Pratinidhi Sabha. The General Body, in turn, elects the Governing Body (Antrang Sabha). The Sarvadeshik Arya Pratinidhi Sabha at New Delhi has framed its own Rules and Sub-Rules, which are binding upon all Arya Samaj Units affiliated to the Pradeshik Arya Pratinidhi Sabha.

5. The **appellant no.1- Arya Pratinidhi Sabha** for the State of Uttar Pradesh stands duly registered under the Societies Registration Act, 1860. The Society is required to functions in accordance with its registered bye-laws, which define its constitution and delineate the powers and duties of the General Body, the Governing Body (also known as the '*Antrang Sabha*'),s and its office bearers. The registered bye-laws of the society prescribes a tenure of five years for the Committee of Management. The registration of the society has been renewed from time to time, and the last renewal was granted on 16.01.2021 for a period of five years with effect from 10.10.2020.

6. The last undisputed elections of the society were held on 27.03.2016, in which Devendra Pal Verma, (*hereinafter referred to as "the appellant No.2"*) was elected as 'Pradhan', while Late Dheeraj Singh was elected as 'Up-Pradhan'. Subsequently, dispute arose in the society relating to the working of the Pradhan, resulting in the passing of an order by the Deputy Registrar, whereby the appellant No.2 was restrained from discharging his powers and functions as Pradhan and Late Dheeraj Singh was appointed as officiating Pradhan vide order dated 09.11.2016, passed by the Deputy Registrar. The said order was challenged by the appellant No.2 by filing *Writ Petition (C) No.59067 of 2016 (say Writ-I)* before this Court, which was subsequently *withdrawn* with liberty to file a fresh petition. Thereafter, another writ petition being *Writ Petition No.10563 (M/S) of 2017 (say Writ-II)* was filed by the appellant No.2 before this Court.

7. In the meantime, the Deputy Registrar passed another order dated 16.01.2017, vesting the charge of the office of Pradhan in Smt. Gayatri Dixit, the senior-most Up-Pradhan of the society. Obviously, the said order came to be challenged by Late Dheeraj Singh by filing *Writ Petition No.1829 (M/S) of 2016 (say Writ-III)*, in which an interim order dated 25.01.2017 staying the operation of the order dated 16.01.2017 was passed.

8. On the heels of the aforesaid stay order, Late Dheeraj Singh allegedly convened a meeting of 'Antarang Sabha' on 25.03.2017 and General Body on 26.03.2017, resultantly passing a resolution for expelling the appellant No.2 from the membership of the society, for a period of 6 years. Aggrieved by the same, Appellant No.2 lodged a

complaint before the Deputy Registrar, who, vide order dated 30.03.2017, stayed the effect of the resolution dated 26.03.2017. The said order dated 30.03.2017 also came to be challenged by Late Dheeraj Singh by filing a *Writ Petition No. 7613 (M/S) of 2017 (say Writ-IV)*, wherein an interim order was passed on 12.04.2017, staying implementation of order dated 30.03.2017.

9. During the pendency of the aforesaid Writ petition, a meeting of Governing Body of the society was held on 23.07.2017, wherein Late Dheeraj Singh was elected as 'Pradhan', the membership of existing Pradhan namely, Smt. Gayatri Dixit was terminated as being ineligible. Subsequently, on 24.07.2017 a meeting of the General Body was conducted at Muzaffarnagar, wherein the appellant No.2 and two other members were expelled from the membership.

10. All the aforesaid three writ petitions were clubbed together and disposed of by the learned Single Judge of this Court vide judgment dated 30.07.2019. By the said judgment, the aforesaid orders dated 09.11.2016, 16.01.2017 and 30.03.2017 of the Deputy Registrar were set aside and the matter was remitted to the Deputy Registrar, Firms, Societies and Chits, with directions to decide the matter by a reasoned and speaking order after affording opportunity of hearing to all concerned parties, including the issue of entitlement of the appellant No.2 to hold the office of Pradhan and the membership of Late Dheeraj Singh.

11. During the pendency of the proceedings, the appellant No.2 came to be ousted from Arya Samaj, Muzaffarnagar. Consequently, the Deputy Registrar

passed an order dated 02.11.2019 rejecting the complaint of the appellant No.2 on the ground that he was not a valid member of Arya Samaj. The said order was also challenged by the appellant No.2 by filing *Writ Petition No.4515 (M/S) of 2020 (Say Writ-V)*.

12. In the meanwhile, disputes arose regarding the post of Secretary. Late Dheeraj Singh appointed Shri Gyanendra Singh as 'Secretary', while Vishal Singh claimed to be the 'Officiating Secretary' and filed a complaint. The Deputy Registrar, vide order dated 09.01.2020, directed Late Dheeraj Singh to convene a meeting of the 'Antarang Sabha' to fill up the post of 'Secretary' in accordance with the bye-laws of the society.

13. Thereupon, on the complaints made by some reputed members, an enquiry was conducted which revealed that Late Dheeraj Singh had obtained membership of 'Arya Samaj Baldev Ashram, Khurja, Bulandshahr' on the basis of some fake and forged documents. Consequently, an F.I.R. was also registered against him and accordingly, his primary membership was terminated vide an order dated 01.02.2020.

14. In the interregnum, the order dated 09.01.2020, passed by the Deputy Registrar for conveying a meeting for filling of the post of 'Secretary', was challenged by Late Dheeraj Singh and Shri Gyanendra Singh in *Writ Petition No.7217 (M/S) of 2020 (say Writ-VI)*; wherein learned Single Judge of this Court was informed about the termination of membership of Late Dheeraj Singh on 01.02.2020. Thus, an interim order dated 06.03.2020 was passed directing that if any election is held in

pursuance to the order dated 09.01.2020, that would be subject to the final adjudication of the said writ petition. Against the aforesaid interim order, a *Special Appeal No.139 of 2020* came to be filed which was *dismissed* by a Division Bench of this Court vide an order dated 13.03.2020.

15. Consequent to the termination of primary membership of Late Dheeraj Singh on 01.02.2020, the Arya Pratinidhi Sabha passed a no-confidence motion against him on 16.02.2020 and removed him from the post of 'Pradhan'. Resultantly, the vacancy was filled and the list of the governing body for 2019-20 was forwarded to the Deputy Registrar for registration. The Deputy Registrar, vide an order dated 19.03.2020, registered the Committee of Management for 2019-2020 subject to the outcome of *Writ Petition Nos.7217 (M/S) of 2020 and 4515 (M/S) of 2020*.

16. The order dated 01.02.2020 terminating the membership of Late Dheeraj Singh was challenged by him in *Regular Suit No.581 of 2020*, wherein an order of *status quo* was passed on 28.02.2020, but the implementation of the termination order was not stayed. Thereafter, Late Dheeraj Singh filed *Writ Petition No.9735 (M/S) of 2020 (Say Writ-VII)*. The Regular Suit was *withdrawn* on 17.03.2021 without liberty, and *Writ Petition No.7217 (M/S) of 2020* was also *dismissed as withdrawn* on 18.03.2021.

17. Subsequently, the Society under the leadership of appellant No.2, made certain enquiry and terminated the memberships of large number of persons, as allegedly having been illegally inducted by Late Dheeraj Singh. The said action was approved on 21.09.2020 and the amended list was registered on 21.11.2020, before the Deputy Registrar. However, the said order was challenged in *Writ Petition Nos. 25151 (M/S) of 2020 (say Writ-VIII)*; and *25284 (M/S) of 2020 (say Writ-IX)*; before a learned Single Judge of this Court, which were set aside on 02.02.2021, and matter was remanded to the Deputy Registrar, who again passed a fresh order on 15.03.2021 maintaining the registration.

18. In the meantime, as the tenure of the Committee of Management was expiring, fresh elections were held and the list of General body members was published on 05.03.2021, in the weekly newspaper 'Arya Mitra'. Elections were conducted on 21.03.2021; the results were declared the same day, wherein Appellant No. 2 was elected unopposed as 'Pradhan'. The Governing body list and election papers were submitted on 22.03.2021 and registered by the Deputy Registrar on 26.03.2021.

19. In the interregnum, *Writ Petition Nos. 4515 (M/S) of 2020*; and *9735 (M/S) of 2020* (i.e. *Writ-V* and *Writ- VII*) were heard together and were decided by this Court on 07.06.2021 in which the order dated 19.03.2020 was set aside and the matter was remitted to the Deputy Registrar for fresh decision on merits. *Writ Petition No. 4515 (M/S) of 2020* filed by Appellant No. 2 was

dismissed, noting that his primary membership had been restored and not challenged by any aggrieved person.

20. Against the judgment dated 07.06.2021, insofar as it related to *Writ Petition No.4515 (M/S) of 2020*, the appellant No.2 filed *Review Application No.94 of 2021*, which was *dismissed* vide a detailed reasoned order dated 16.08.2023. The judgment dated 07.06.2021 insofar as it related to *Writ Petition No.9735 (M/S) of 2020* was challenged by the society in *Special Appeal No.217 of 2021*, which was *disposed of* on 01.07.2021 with directions to the Deputy Registrar to pass a fresh reasoned order considering all relevant issues.

21. In compliance of the aforesaid judgments, the Deputy Registrar was seized of the matter. However, by order dated 23.04.2022, the matter was referred to the Prescribed Authority. The said order was challenged in *Writ-C No.3418 of 2022 (say Writ-X)*, which was allowed on 18.09.2024, and the matter was again remitted to the Deputy Registrar for a fresh reasoned and speaking order, after examining the records and submissions of the parties.

22. In pursuant to the judgment dated 18.09.2024, the appellant No.2 filed a detailed claim along with evidence on 27.12.2024, pointing out the non-membership and expulsion of Opposite Party Nos.3 and 4 and the restoration of his own membership. Consequently, the Deputy Registrar passed an order dated 09.01.2025 declaring the elections time-barred and directing fresh

elections under Section 25(2) of the Societies Registration Act, 1860. The said order was set aside by this Court on 26.08.2025 in a bunch of writ petitions being, *Writ-C- No. 1263/2025; (say Writ-XI), Writ-C- No 702/2025; (say Writ-XII), Writ-C- No 4172/2025; (say Writ-XIII), and Writ-C- No 4500/2025; (say Writ-XIV),* with a specific directions to the Deputy Registrar to pass a fresh order after considering the earlier judgments dated 07.06.2021, 16.08.2023 and 18.09.2024 and the material placed by the parties.

23. After the pronouncement of the judgment dated 26.08.2025, further submissions were filed by the appellant No.2. However, the Deputy Registrar passed the impugned order dated 05.12.2025 allegedly ignoring the directions of this Court and the material on record, including the removal of 22 illegally inducted members and the non-membership of rival claimants such as Acharya Swadesh (whose membership was terminated for 12 years on 23.01.2014) and others. The said order dated 05.12.2025 was challenged by the appellants in *Writ-C No.12346 of 2025 (say Writ-XV),* and by *Dr. Ram Ratan Chaturvedi 'Pradhan' vide Writ -C-12312 OF 2025 (say Writ-XVI).* Both the said writ petitions were decided by the impugned judgment dated 19.12.2025, whereby the disputes essentially being in the nature of elections were directed to be referred to the Prescribed Authority under Section 25(1) of the Societies Registration Act, 1860.

24. It is this judgment and order dated 19.12.2025, which has been impugned in the present Special Appeals. The appellants are assailing the directions contained in paragraph 8 of *Writ-C No. 12346 of 2025; ((Arya Pratinidhi Sabha Thru. Pradhan, Devendra Pal Verma and Another vs. State of U.P. and others)*, and paragraphs no.9 and 10 of *Writ-C No. 12312 of 2025; (Arya Pratinidhi Sabha Thru. President Pradhan, Dr. Ram Ratan Chaturvedi and Another vs. State of U.P. and others)*, wherein the Registrar has been directed to refer the present dispute to the prescribed authority under Section 25(1) of the Society Registration Act, 1860.

25. The case of the appellants is that the learned Single Judge, while passing the impugned judgment, failed to consider the binding earlier judgments of Co-ordinate Benches and the Division Bench of this Court remitting the matter to the Deputy Registrar for adjudication on merits, and that the directions in paragraph 8 (or 9 and 10 of the other writ) are contrary to the said earlier judgments.

Contention of the Appellants

26. Mr. Sandeep Dixit, learned Senior Counsel appearing for the appellants has fairly submitted that his clients are partly aggrieved by the impugned judgment, in as much as the directions issued by the learned Single Judge, as contained in paragraph no.8 of *Writ-C No. 12346 of 2025; (Arya Pratinidhi Sabha Thru. Pradhan, Devendra Pal Verma and Another vs. State of U.P. and others)*, and

paragraphs no.9 and 10 of *Writ-C No. 12312 of 2025; (Arya Pratinidhi Sabha Thru. President Pradhan, Dr. Ram Ratan Chaturvedi and Another vs. State of U.P. and others)*, are only under challenge.

27. According to Mr. Dixit, learned Senior Counsel appearing for the appellants, the learned Single Judge, while passing the impugned order, has failed to consider the detailed judgments passed by the Co-ordinate Benches on earlier occasions with regard to the adjudication of the various issues in question. Consequently, according to him, the learned Single Judge has erroneously directed the Deputy Registrar, Firms, Societies and Chits, Uttar Pradesh, Lucknow to refer the dispute to the Prescribed Authority. He further submits that the impugned judgment cannot render futile the earlier judgments passed by the Co-ordinate Benches and that the learned Single Judge ought not to have taken a divergent view from the earlier judgments.

28. The learned Senior counsel has vociferously submitted that the impugned order has failed to consider the judgments dated 07.06.2021, 18.09.2024 and 26.08.2025 passed by the Co-ordinate Benches of this Court, by virtue of which, various issues were relegated to the Deputy Registrar, Firms, Societies and Chits, Uttar Pradesh, Lucknow. Expanding further, Mr. Dixit has submitted that the learned Single Judge has failed to consider that the Deputy Registrar had been remitted the matter vide an order dated 07.06.2021 for decision on the matter referable to the proceedings under Section 4

and 4-B of the Act of 1860, which exclusively lie within the jurisdiction of the Deputy Registrar and as such, according to him, the direction of the learned Single Judge construing even this dispute to be an election dispute could not have referred the same to the Prescribed Authority under Section 25(1) of the Act.

29. He further submits that the core dispute relating to the membership of the society could not have been referred to the Prescribed Authority and, therefore, in that regard, the order passed by the learned Single Judge is faulted and bad in law. Other grounds relating to the non-consideration of specific averments of the appellant to the effect that Shri Bhuwan Tiwari is a rank outsider and not a primary member of any unit of Arya Samaj, and that Acharya Swadesh had been expelled from the primary membership for a period of 12 years, in 2014 have also not been considered by the learned Single Judge.

30. According to the learned Senior counsel, the factum of Dr. Ram Ratan Chaturvedi, having been never inducted as a member of the society was not considered by the learned Single Judge, which goes to the root of the controversy. Thus, he submits that most of the claimants are strangers/non-members of the society and, therefore, had no authority to hold any election for the Managing Committee of the society. As such, the automatic direction issued to the Deputy Registrar to refer the dispute to the Prescribed Authority for decision under Section 25(1) of the Societies Registration Act, 1860, was

unwarranted. He vehemently submitted that the order passed by the learned Single Judge deserves to be modified and/or set aside to that extent.

Contention of the Respondent

31. On the other hand, Mr. Gaurav Mehrotra, learned Senior Advocate appearing for respondent no.4, has controverted the submissions advanced by the learned Senior Counsel for the appellants and submitted that, in cases involving rival claims of the Committee of Management, the Deputy Registrar has no jurisdiction to adjudicate the dispute. Such matter is required to be referred by the Deputy Registrar to the Prescribed Authority under Section 25(1) of the Societies Registration Act, 1860, for adjudication. In order to buttress the aforesaid submission, Mr. Mehrotra has placed reliance on the judgment and order dated 18.12.2013, passed in ***Special Appeal (Defective) No. 1286 of 2013 (C/M Anjuman Kherul Almin, Allahganj and another vs. State of U.P. and others)***, reported in ***2013 SCC OnLine All 14353***.

32. Mr. Mehrotra has vehemently submitted that the impugned order is legal and valid inasmuch as the law is settled that, while exercising its powers under Section 25(1) of the Societies Registration Act, 1860 the 'Prescribed Authority' is competent to decide the issue of membership, as an ancillary issue and to determine the composition of electoral college/general body of the society incidentally. In support of the said submission, he

has placed reliance upon the judgment and order dated 14.09.2018 passed in ***Writ-C No. 23628 of 2014 (Kisan National Education Trust Pratapganj and Another vs. Prescribed Authority (S.D.M.) and others***, reported in ***2018 SCC OnLine All 6120 : 2019 (1) ADJ 817***; as well as ***Committee of Management, Shri Vidur Sewa Ashram and others vs. State of U.P. and others***, reported in ***2018 SCC OnLine All 8880 : 2018 (5) ADJ 717***.

33. According to Mr. Mehrotra, the impugned order does not, in any manner, causes any prejudice to the cause of the appellants, inasmuch as, the learned Single Judge has left all the issues and controversies open to be adjudicated by the Prescribed Authority. Therefore, there was no occasion for the appellants to file the present appeals. He also submits that the law in this regard is very clear and well settled, inasmuch as the appellant is not only required to show that any law has been violated, but it must also be shown that some prejudice has been caused. It is the submission of Shri Mehrotra that, apparently, no prejudice has been caused to the appellant, as the issue being agitated before the Division Bench could also have been agitated before the Prescribed Authority by the appellant. In this regard, he relies on the judgment of the Hon'ble Supreme Court passed in ***Sarva Uttar Pradesh Gramin Bank vs. Manoj Kumar Sinha***, reported in ***(2010) 3 SCC 556***; and ***Surendra Kumar Verma vs. State of U.P. and others***, reported in ***2002 SCC OnLine All 188***.

34. Mr. Mehrotra has also drawn the attention of this Court to the factum of participation of the Appellants in the proceedings before the Prescribed Authority pursuant to the passing of the impugned orders by the learned Single Judge. During the course of hearing, he has submitted a certified copy of the adjournment requested by the appellant No. 2 (Devendra Pal Verma) vide an application dated 14.01.2026 before the Prescribed Authority, followed by another application seeking adjournment on 19.01.2026. According to the learned Senior Counsel, a facial reading of both the applications seeking adjournment clearly signifies that Devendra Pal Verma has subjected itself to the jurisdiction of the Prescribed Authority and willingly participated in the proceedings without any demur and as such, the present appeal is not maintainable. According to him, once appellant- Devendra Pal Verma had submitted to the jurisdiction of the Prescribed Authority and participated in the proceedings, he would be deemed to have acquiesced in the authority's jurisdiction. In support of his contention, he has relied upon the judgment of the Hon'ble Supreme Court rendered in the case of ***Kedar Shashikant Deshpande vs. Bhor Municipal Council***, reported in **(2011) 2 SCC 654**; in this regard.

35. Towards the end, it has been submitted by Mr. Mehrotra and not controverted by Mr. Dixit, learned Senior counsels appearing for the parties that the Prescribed Authority, pursuant to the impugned order passed by the learned Single Judge, the learned Prescribed Authority in terms of Section 25(1) of the Societies Registration Act has already adjudicated upon

the rights of the parties and the controversies between them. According to Mr. Mehrotra, as a matter of fact, even the said decision of the Prescribed Authority is a subject matter of challenge before a Single Judge of this Court and according to him, all the issues are engaging the attention of the said Court. Therefore, according to Mr. Mehrotra, the present special appeal, besides lacking merits, is purely academic in nature and infructuous as all the issues are again open for adjudication before the learned Single Judge of this Court.

Reasoning and Finding

36. We have considered the rival submissions of learned Senior counsels of the contesting parties and the materials available on record.

37. Having perused the material on records, we have no hesitation in observing that, the present society has a chequered history of litigation. There have been dozens and scores of litigations filed *inter-se* between the parties on a drop of hat and we find that, on each occasion, the matters have been remanded to the Deputy Registrar for adjudication of the rights of the parties in the past 10 years in almost four-five rounds of litigation, without any respite. Apparently, the issue had been moving in a circular clock-wise manner from the Registrar of Societies, then to the learned Single Judge of this Court, then to a Division Bench of this Court and then again back to the pavilion of Registrar of Societies, on remand

either by the learned Single judge or by a Division Bench of this Court.

38. If we move little anti-clock wise in time, this Court finds that the impugned order dated 19.12.2025 has been passed in two writ petitions filed by two different individuals, namely, Devendra Pal Verma (appellant No.2) and Dr. Ram Ratan Chaturvedi, both of whom claiming themselves to be 'Pradhan' of the society. Both of them have challenged the same order dated 05.12.2025, by virtue of which the Deputy Registrar, Firms, Societies and Chits, Lucknow Division, Lucknow, was adjudicating various issues remanded to him vide a judgment dated 26.08.2025 passed by a learned Single Judge of this Court in four writ petitions being, *Writ-C- No. 1263/2025, 702/2025, 4172/2025 and 4500/2025*. Apparently, vide the said impugned order the Deputy Registrar, returned a finding that the elections of Devendra Pal Verma held on 21.03.2021 and Ram Ratan Chaturvedi held on 27.03.2021 were invalid (*both of whom filed writ petitions challenging the same*). The Registrar concerned, also vide the same order held that the election of Bhuwan Tiwari held on 27.03.2021 to be valid and in accordance with law.

39. Ironically, the present *intra-court* Appeal is yet another litigation being fought in a circular clock-wise manner, wherein the order dated 05.12.2025 of the Deputy Registrar of societies has been challenged before the learned Single Judge of this Court, who has remanded the matter to the Deputy Registrar with some

directions vide impugned order dated 19.12.2025. Now, it being the turn of the Division Bench in the chain of litigation being fought by the society, the Division Bench of this Court has been approached challenging the order of the learned Single Judge.

40. This Court at the very outset, deprecates such kind of litigations being fought by belligerent members of a society, who essentially ought to have come together to foster collective well-being, social harmony, and mutual support. Apparently, the basic objectives and the primary duty of the members, seems to have been lost and taken a back seat in the ensuing battle of supremacy, between the factions of the society, which has to stop at some point of time. Although, we refrain from giving a sermon on the said issue as we have been assigned with a limited role to examine the legality of the impugned order passed by the learned Single Judge, but the fact of the matter remains that the hostility of the members of the Appellant-society is writ large.

41. Having said so, we proceed to consider the controversy raised in the present *intra-court* Appeal. However, before proceedings any further, keeping in view the contention raised by the learned Senior counsel for the Appellants, we consider it apt to first determine our periphery within which we have to adjudicate the present issue. Relief/prayers, which has been sought in the aforesaid writ petitions, is a conclusive indicator as to what the Appellants or the parties concerned has sought for in the subject Writ petition and as to what relief has

been granted by the learned Single Judge. Apparently, the impugned order has been passed in the following two subject writ petitions. *Writ No. 12346/2025* filed by Dr. Ram Ratan Chaturvedi, claiming himself to be 'Pradhan' of the society, wherein he has sought for the following relief(s):

" I. Issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 05.12.2025 issued by the Respondent No.2, copy of which, is contained in Annexure-I to this writ petition.

II. Issue a writ, order or direction in the nature of mandamus commanding the Respondent No.2 to consider and decide the issue of the Governing Body of the Petitioner No.1 society afresh under section 4 of the Societies Registration Act, 1860, including the issue of rival claims of the Governing Body of the petitioner No.1 society to the prescribed Authority under Section 25(1) of the Societies Registration Act, 1860, strictly in accordance with law."

Similarly, *Writ No. 123412 of 2025* has been filed by the Appellant No.2 (Devendra Pal Verma), claiming himself to be 'Pradhan' of the society, wherein he has prayed for the following relief(s):

"i) issue a writ, order or direction in the nature of Certiorari quashing the impugned order dated 05.12.2025 passed by the opposite party No.2 contained as Annexure No.1 to the writ petition.

ii) issue a writ, order or direction in the nature of Mandamus commanding the opposite parties not to interfere in the functioning of the Managing committee of the petitioner no.1”

42. Prima-facie, the relief sought in both the writ petitions was substantially to quash the order dated 05.12.2025 passed by the Deputy Registrar, Firms, Societies and Chits, Lucknow Division, Lucknow, wherein the Registrar concerned was examining election dispute of four fraction of the society and had declared one of them as winner. It is available from a facial reading of the order passed by the Deputy Registrar that there were four factions, who have conducted their own elections and elected different Pradhan's of the same society. The issue before the Deputy Registrar was to examine the veracity of the elections held by each of these four groups namely, (i) Devendra Pal Verma's group wherein he was elected 'Pradhan' in election held on 21.03.2021; (ii) Ram Ratan Chaturvedi's Group wherein he was elected 'Pradhan' in election held on 27.03.2021; (iii) Bhuwan Tiwari's Group wherein he was elected 'Pradhan' in election held on 27.03.2021; and (iv) Vivek Singh's group, wherein Acharya Swadesh was elected as 'Pradhan' in election held on 07.03.2021. The task before the Deputy Registrar apparently was to examine the records and declare one of the groups to have correctly held the elections.

43. Keeping the aforesaid impugned order in background, we find that the learned Single Judge has very distinctly recorded in the impugned orders that

although 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, 1860.

44. Thus, we find that since all the parties were at *ad-idem* that the issue was essentially an election dispute, the Learned Single Judge quashed the order dated 05.12.2025 and additionally directed the Deputy Registrar concerned to refer the issue to the Prescribed Authority to decide the elections dispute under Section 25(1) of the Societies Registration Act, 1860, strictly in accordance with law.

45. Having examined the background in which the impugned order was passed and as a matter the said order itself, we do not find any error in the said impugned order passed by the learned Single Judge as apparently nothing was adjudicated by him and merely it was directed to the concerned Registrar to refer the dispute as being an elections dispute to the competent Authority. The learned Single Judge does not in any manner refers to any of the earlier orders passed *inter-se* between the parties, which as a corollary means that it was for the parties to refer to these earlier orders before the Authority, to substantiate and/or defend their version of the story. Thus, the grounds being agitated by the Appellant seems to be expanding the scope of prayer

made in the writ Petition, which according to this Court is not permissible under law.

46. As a sequel to above, this Court does not find any viable ground to interfere in the matter as the view taken by the learned Single Judge seems to be a plausible and reasonable view, as it does not suffer from any perversity. It would be apposite at this juncture to refer to a very recent judgment of the Hon'ble Apex Court, wherein the Court very beautifully and assertively delineated the extent of interference in an *intra-court* appeal in the following words vide judgment and order dated 23.01.2026 in the case of ***Bihar Industrial Area Development Authority & Ors. V/s M/s SCOPE Sales Pvt. Ltd. & Anr.***; reported as **2026 INSC 89: 2026 SCC OnLine SC 112 :-**

"13. We must also bear in mind the nature and extent of jurisdiction that an intra-court appellate Bench of a high court exercise. Such appellate jurisdiction is conferred either under the Letters Patent or by the relevant statutory provisions. It is pertinent to note that both - Single Bench and Division Bench - exercise the same jurisdiction under [Article 226](#) of the Constitution. In our view, the exercise of intra-court appellate jurisdiction is warranted only where the judgment or order under challenge is demonstrably erroneous or suffers from perversity. Such jurisdiction ought not to be invoked merely because another view is possible on the same set of facts, particularly where the view adopted by the Single Judge is a plausible and reasonable one. In other words, an intra-court appellate Bench ought not to substitute its own view, merely because such Bench considers its view to be better than the

one taken by the Single Bench; so long as the view taken by the Single Bench is a plausible one, interference should stay at a distance.”

47. Given the facts and the material on records, we have no doubt in our mind that the judgment or order, impugned in the present Special Appeal is neither demonstrably erroneous nor suffers from perversity, so as to require our interference in any manner in the present *intra-court* Appeal.

48. However, we find that the present *intra-court* Appeal merits dismissal on several other grounds also. As we embark upon our arduous duty to discuss other grounds agitated by the learned Senior Counsel for the Appellants, we find that the learned Single Judge has set-aside the findings of the Deputy Registrar by allowing the writ petitions and, as a consequential effect thereof, has also directed the Deputy Registrar to refer the election dispute to the Prescribed Authority under Section 25 of the Societies Registration Act, 1860. The learned Single Judge has further directed that 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 parties, in accordance with law.

49. We find that the learned Single Judge has also recorded that the contesting parties were *ad idem* to the effect that an election dispute could not have been decided by the Deputy Registrar and was required to be

decided only by the Prescribed Authority under Section 25 of the Societies Registration Act, 1860. Apparently, it seems that the learned Senior Counsel for the appellant is not aggrieved by the direction of referring the election dispute to the Prescribed Authority. According to him, the Deputy Registrar ought first to have examined and adjudicated upon the issue relating to membership and other allied issues, and thereafter, the election dispute ought to have been decided by the Prescribed Authority and in that regard has referred to earlier judgments passed by this Court concerning the same society.

50. Dehors the aforesaid consensual consequential order passed by the learned Single Judge, the ancillary issues raised by the Appellant is that under Section 25(1) of the Societies Registration Act, 1860 the Prescribed Authority could not examine the membership of the society, and secondly the learned Single Judge would not had directly directed the Registrar concerned to refer the issue to the Prescribed Authority, without first the Registrar itself deciding the issues of membership, for which this Court had on several previous occasions remanded the matter to the concerned Registrar.

51. Apparently, it seems the Appellant is trying to place the issue of membership and the issue of election dispute in two separate compartments, whereas the fact of the case reveals that it was due to membership issue that the elections dispute has arisen. Thus, in a way both the issues cannot be kept in separate compartment as the issues are overlapping in nature. Given the background of

the present case, membership is an issue ancillary to the elections dispute and as such the same can be very well decided together. Once it is held that the issue is overlapping, these issues cannot be decided separately. It would be altogether absurd to first direct the Deputy Registrar to examine the issues relating to memberships and then direct the election dispute to be referred to the Prescribed Authority. This Court finds that the Prescribed Authority being a senior officer than a Deputy Registrar would be more equipped to resolve this overlapping issue's together, rather than separate the issues and invite different findings from different authorities and add more to the already existing confusion and battle of supremacy in the society.

52. Further, it has to be understood that Section 25(1) of the Societies Registration Act, 1860 invariably says that "any doubt" with respect to continuance in office of an officer-bearers of a society can also be decided by the Prescribed Authority. Let's take for example, in an election, a doubt arose relating to the vote being cast by one of the members, owing to him being a legitimate member or not?, The pertinent question would be, is it required for the Prescribed Authority at that point to refer the determination of such legitimacy of memberships to the Deputy Registrar and await his determination to proceed further to decide the election dispute. According to this Court, the answer must have to be in negative. Similar answer would have to be followed for all those cases for accepting or rejecting any vote due to reasons of membership. Thus, effectively, the Prescribed Authority while deciding the election dispute has in a way to also

decide the issue of membership as an incidental and ancillary issue to the larger dispute of election. Further, the Prescribed Authority in deciding and/or clearing the said doubt has to arrive at its own conclusion relating to the membership of the society and in doing so has to take various evidence/material placed before it keeping in mind the relevant factors as well as the bye-laws of the society and documents of the nature mentioned in Section 4B of the Societies Registration Act, 1860. The said proposition can be easily construed from a plain reading of the proviso to Section 25(1) of the Societies Registration Act, 1860, which *inter-alia* states:

"25.Dispute regarding election of office bearers.-

(1) *The Prescribed Authority may, on a reference made to it by the Registrar or by at least one-fourth of the members of a society registered in Uttar Pradesh, hear and decide in a summary manner any doubt or dispute in respect of the election or continuance in office of an office bearers of such society, and may pass such order in respect thereof as it deems fit:-*

[Provided that the election of an office-bearer shall be set aside where the prescribed authority is satisfied-]

(a) *that any corrupt practice has been committed by such office bearer; or*

(b) *that the nomination of any candidate has been Improperly rejected; or*

(c) that the result of the election in so far it concerns such office-bearer has been materially affected by the improper acceptance of any nomination or by the Improper reception, refusal or rejection of any vote or the reception of any vote which is void or by any non-compliance with the provisions of any rules of the society."

(Emphasis Supplied)

53. Although, the issue does not require any further deliberation as the same is clear like day-light that issues of memberships being incidental to elections can be very well decided by the Prescribed Authority under Section 25(1) of the Societies Registration Act, 1860 as an ancillary issue. Further, the said understanding of this Court is fortified by the judgment of a Co-ordinate Bench of this Court, in the case of ***Committee of Management, Anjuman Kherul Almin, Allahaganj and Another Vs. State of U.P. and Others***, reported in ***2013 SCC OnLine All 14353 : 2014 (1) ADJ 44 (DB)***; wherein the Division Bench after considering the provisions of Section 4 and 25 (1) of the Societies Registration Act, 1860 has held that once an application for taking on record the name of the office-bearers and an objection as to the validity of the office-bearers who were elected have been filed, the Registrar, considering under Section 25 (1), ought to refer the matter to the Prescribed Authority. The relevant paragraphs 7 to 11 of the judgment are extracted herein-below: -

"7. *Under Section 4 of the Societies' Registration Act, 1860, as amended in the State of U.P. the following provision has been made:-*

"4. (1) Annual list of managing body to be filed.-Once in every year, on or before the fourteenth day succeeding the day on which, according to the rules of the Society, the annual general meeting of the society is held, or, if the rules do not provide for an annual general meeting, in the month of January, a list shall be filed with the Registrar of the names, addresses and occupations of the governors, council, directors, committee, or other governing body then entrusted with the management of the affairs of the society.

Provided that if the managing body is elected after the last submission of the list, the counter signature of the old members, shall, as far as possible, be obtained on the list. If the old office-bearers do not counter-sign the list, the Registrar may, in his discretion, issue a public notice or notice to such persons as he thinks fit inviting objections within a specified period and shall decide all objections received within the said period.

(2) Together with list mentioned in sub-section (1) there shall be sent to the Registrar a copy of the memorandum of association including any alteration, extension or abridgment of purposes made under section 12, and of the rules of the society corrected up to date and certified by not less than three of the members of the said governing body to be a correct copy and also a copy of the balance-sheet for the proceeding year of account."

8. *The proviso to Section 4, as amended in the State of U.P., states that if the managing body is elected after the last*

submission of the list the counter signature of the old members, shall, as far as possible, be obtained on the list. If the old office bearers do not countersign the list the Registrar may in his discretion issue a public notice inviting objections and decide all the objections received within the said period.

9. *Section 25(1) as applicable in the State of U.P. provides as follows:-*

"25. Dispute regarding election of office-bearers.-(1) The prescribed authority may, on a reference made to it by the Registrar or by at least one-fourth of the members of a society registered in the Uttar Pradesh, hear and decide in a summary manner any doubt or dispute in respect of the election or continuance in office of an officer-bearers of such society, and may pass such orders in respect thereof as it deems fit:

[Provided that the election of an office-bearer shall be set aside where the prescribed authority is satisfied-

(a) that any corrupt practice has been committed by such office-bearer; or

(b) that the nomination of any candidate has been improperly rejected; or

(c) that the result of the election in so far as it concerns such office-bearer has been materially affected by the improper acceptance of any nomination or by the improper reception, refusal or rejection of any vote or the reception of any vote which is void or by any noncompliance with the provisions of any rules of the society."

10. Both these provisions have been harmonized in the judgment of the Division Bench in *All-India Council (Supra)* where it was held as follows: -

"Section 25 of the Societies Registration Act as amended by the State Legislature enacts a comprehensive code and creates a designated forum or tribunal for adjudication in a summary manner of all disputes or doubts in respect of the election or continuance in office of an office-bearer of such society. It also provides the grounds upon which the election of an office-bearer can be set aside. The procedure to be followed for filling up of the vacancies arising from the decisions rendered by the Prescribed Authority under Sub-section (i) of Section 25 has also been laid down (Section 25(2)).

7. It will, therefore, be seen that insofar as disputes or doubts in respect of the election or continuance in office of the office-bearers of a society registered in Uttar Pradesh are concerned, the Legislature has created a specific forum and laid down an exhaustive procedure for determination of the same under Section 25. There is no other provision, express or otherwise, providing for determination of such disputes specifically. It is settled law that where, as here, the Legislature creates a specific forum and lays an exhaustive procedure for determination of a particular class of disputes in respect of matters covered by the statute, such disputes can be determined only in that forum and in the manner prescribed thereunder and not otherwise. If, therefore, a dispute is raised with regard to the election or continuance in office of an office-bearer of a society registered in Uttar Pradesh, the same has to be decided only by the Prescribed

Authority under Section 25(1) and not by the Registrar, save, of course, to the decision of the Prescribed Authority being subject to the result of a civil suit."

11. *The judgment of the Division Bench came up for consideration in Gram Shiksha Sudhar Samiti (Supra). In the subsequent judgment the Division Bench held that the earlier judgment has harmonized the provisions of both Sections 4 and 25 and what can be inquired into under Section 25 of the Act, cannot be gone into under the proviso to Section 4. In that case, the Division Bench held that the learned Single Judge ought to have set aside an order of the Registrar dated 11 July 2010 and ought to have directed the Registrar to refer the objection to the Prescribed Authority under Section 25(1). The Division Bench held that once an application for taking on record the name of the office bearers and an objection as to the validity of the office bearers who were duly elected has been filed, the Registrar considering under Section 25(1) ought to refer the matter to the Prescribed Authority. Undoubtedly, in the subsequent decision in the Committee of Management (Supra) it has been held that the Registrar "is not a post office for referring any and every dispute". The Division Bench there held that more than three years after the holding of an election there was no reason to entertain a petition at the belated stage."*

54. Further, we find that this Court in the case of **Vidur Sewa Ashram & 7 others Vs. State of U.P. & 4 other** reported in **2018 SCC OnLine All 8880 : 2018 (5) ADJ 717;** was considering the question whether membership of the General body of a society could be decided by the Prescribed Authority incidentally to the dispute relating to elections or not. The said Court after considering the

provisions of Section 25(1), 25(2) and 4(B) of the Societies Registration Act, 1860 and another judgment rendered by this Court in ***Sita Ram Rai & others Vs. Assistant Registrar, Firms, Societies & chits, Gorakhpur***, reported in **2003 SCC OnLine All 689 : 2003 (5) AWC 4159**; and ***Vindhya Vasini Vs. Prescribed Authority & others*** reported in **2002 SCC OnLine All 1291 : 2002 (2) AWC 1623**; went on to observe that in *Sita Ram Rai's case (supra)*, it has been held that election disputes, if any, including validity of members entitled to vote can be decided by the Prescribed Authority under Section 25(1) of the Act. In the said Judgment, it was also concluded that *Vindhya Vasni case (supra)*, held that the decision relating to number of members of General body entitled to participate in election is incidental for deciding the doubt about the validity of elections under sub-section 1 of Section 25 of the Societies Registration Act, 1860, and therefore, can be decided by the Prescribed Authority.

55. The crux of these judgments is that whenever there is a dispute relating to an election, a special forum under Section 25(1) of the Societies Registration Act, 1860 has been provided and all such disputes ought to be adjudicated by the said forum. Thus, we are unable to agree with the submission of the learned Counsel for the Appellant that the Prescribed Authority cannot examine the membership dispute in a proceeding under Section 25(1) of the Societies Registration Act, 1860, which may be ancillary to the election dispute. In any case, we find that the objection to the electoral roll due to membership

dispute is essentially an election dispute and can be adjudicated by the Prescribed Authority, in as much as the phrase "any doubt or dispute in respect of the election or continuance in office of an officer-bearers of such society" mentioned in Section 25(1) of the Societies Registration Act, 1860 is of great elasticity as it encompasses within it "any doubt or dispute", which according to this Court also includes a doubt or dispute relating to membership also.

56. We also find that the learned Single Judge of this Court, while considering the case of the present society in one of the writ petition filed before this Court being, *Writ -C No.- 3418 of 2022* vide a judgment dated 18.09.2024, after referring to the judgment rendered in the case of ***Committee of Management, Shri Vidur Sewa Ashram***, (*supra*) went on to hold that a Prescribed Authority while dealing with an issue of an election can as an ancillary issue examine, determine and can also adjudicate the issue of membership as that would impact the electoral college which may have an impact on whether there has been a rightful reception of vote or there has been denial of a *bona-fide* vote which would impact the result of the election.

57. Further, we cannot be oblivious to the fact that an election dispute in a society is a perennial problem. In view of the nature of this problem, the Courts having come to the rescue have provided that in case there is a membership issue intertwined with an election dispute, the same can very well be decided by the Prescribed

Authority in its summary proceedings. The said understanding of this Court is also based on the principle of convenience as it cannot be expected that any election dispute, wherein membership issue has been also raised, should in the first instance be sent to the Registrar for adjudicating the membership issue and then refer the same to the prescribed Authority to adjudicate the election dispute. The said analogy would give a fertile ground to unscrupulous litigants/members to keep the membership issue always open, so that the election dispute is never resolved and in turn the very democratic process is sent to the back burner. According to this court, the said cumbersome process was never expected on a plain reading of the Section 25(1) of the Societies Registration Act, 1860.

58. The next issue, which has been vehemently argued by the learned Senior Counsel for the Appellant is non-consideration by the learned Single Judge of the earlier judgment dated 07.06.2021, 16.08.2023, 18.09.2024 and 26.08.2025 passed by this Court in the case of the present society.

59. On a perusal of the aforesaid judgments highlighted by the learned Senior Counsel for the Appellants, it is pertinent to mention herein that there is no element of doubt about the findings arrived by this Court in those earlier Judgment. However, a facial reading of these Judgments would demonstrably indicate that each of these orders eventually remands the matter for adjudication to the Deputy Registrar and all the issues

have been left open and parties have been provided opportunity to agitate their issues before the Authority. A survey of these judgments as relied by the learned Senior Counsel is being depicted in a tabular chart along with a foot-note, which invariably makes us derive as follows:

Order dated 07.06.2021	Final order passed in two petitions being Writ Petition No. 9735(M/S) of 2020 (by Dr. Dheeraj Singh) Writ Petition No. 4515(M/S) of 2020(by Mr. Devendra Pal Verma)	Dhiraj Singh's writ Petition was allowed and accordingly, the order of the Deputy Registrar by virtue of which the list of members of the society, wherein Dheeraj Singh was ousted was quashed and set-aside. <u>The matter was remanded to the Deputy Registrar to adjudicate afresh after hearing all the parties.</u> The Writ of Devendra Pal Verma was dismissed. The learned Single Judge did not find any perversity in the order dated 02.11.2029 by virtue of which Mr. Devendra Pal Verma's representation claiming his membership was dismissed by Deputy Registrar. Apparently, the learned Single Judge noted
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		that vide an order dated 30.07.2019, a Division Bench of this Court while disposing of a bunch of matters has also directed the Registrar to determine the issue regarding the membership of Mr. Devendra Pal Verma.
NB: The conclusion which can be drawn from order dated 07.06.2021 is that the issue of membership was remanded to the Deputy Registrar for considering afresh after hearing all the parties.		
Order dated 16.08.2023	Final order passed in Review Application No. 94 of 2021 by Mr. Devendra Pal Verma against order dated 07.06.2021 passed in Writ Petition No. 4515(M/S) of 2020(by Mr. Devendra Pal Verma)	The review petition was dismissed. However, the learned Single Judge in a very lengthy Judgment recorded the fact that in fact a Special Appeal Being No. 217/2021 has been filed against the same order dated 07.06.2021, however, in Writ Petition No. 9735(M/S) of 2020, wherein the Division Bench vide an order dated 01.07.2021 has directed the Deputy Registrar to decide the membership issue remanded to him by the learned Single Judge as per his order but

		without being influenced by any observation made by the learned Single Judge.
NB: A safe conclusion which can be drawn from order dated 16.08.2023 that the issue of membership was remanded to the Deputy Registrar for considering afresh after hearing all the parties and without being influenced by the observation made in order dated 07.06.2021. The learned Single Judge has clarified that in case the membership of Mr. Devendra Pal Verma is valid, as having been restored, he would be at liberty to participate in the proceedings pending before the Deputy Registrar and raise objections accordingly, which would have its own consequences as the entire matter is to be decided by the Deputy Registrar.		
Order dated 18.09.2024	Final common order passed in Writ-C- No. 3418/2022 (Mr. Devendra Pal Verma) and Writ-C- No. 14794/2022 (Mr. Bhuwan Tiwari).	Writ Petition No. 3418/2022 was allowed but Writ No. 14794/2022 was dismissed. The issue raised in 3418/2022 was as to whether the Registrar was right in invoking Section 25(1) of the Act, so to refer the dispute to the prescribed Authority. The learned Single Judge, while quashing the order of the Deputy Registrar, remitted the matter to the Deputy Registrar and remitted the matter to him

		for fresh adjudication after affording an opportunity to all the concerned parties.
NB: The take-away from this order is that the matter stands remanded to the Deputy Registrar and all the issues were left open and a directions was given to examine the records and consider the observation made in the aforesaid order and pass a reasoned and speaking order.		
Order dated 26.08. 2025	Final common order passed in Writ-C- No. 1263/2025, Writ-C- No 702/2025, Writ-C- No 4172/2025 and Writ-C- No 4500/2025.	Order of the Registrar was impugned, wherein he has declared the society to be time-bared and directed for fresh election on the basis of list dated 27.03.2016. The writ petitions were allowed, wherein the matter was remanded to the Registrar, with a direction to pass fresh order after hearing the rival claims.
NB: The net result of this order was that the matter was remanded to the Deputy Registrar for fresh adjudication after hearing the rival claim.		

60. Thus, this Court finds that on each occasion the matter was remanded to the Deputy Registrar for adjudication of the matter afresh after considering the rival claims of the parties. Thus, technically, all the issues were left open, including the issue of membership, if any. Looking the impugned Judgment from the said angle, we

do not find any adverse remark or any embargo placed on the Deputy Registrar or the Prescribed Authority by the learned Single Judge to not consider these aforesaid Judgments and decide the matter in a particular manner. According to this Court, these Judgments referred by the learned Senior Counsel exists in the record to the extent of their significance to the issue and would be always available to the Concerned Authority for consideration, while deciding any issue, be it also the membership issue, while passing a final order. Therefore, we are unable to subscribe to the views of Mr. Dixit that the impugned order could be in any manner amenable to this Court on this ground.

61. It has been next submitted by the learned Senior Counsel that the learned Single Judge has failed to consider the factum of (i) Bhuwan Tiwari being not a primary member of the society, as he had been expelled from primary membership for 12 years in the year 2014 and as such how he could be elected as 'Pradhan' of the society in the elections dated 20.02.2021, especially when the person, under whose chairmanship the said election was conducted has given an Affidavit later in the year 2024 that he had not participated in the said election; (ii) Acharya Swadesh could not had been elected 'Pradhan' of the society as allegedly his membership had been terminated in 2014 for a period of 12 years; (iii) Dr. Ram Ratan Chaturvedi, could not had been elected as 'Pradhan' of the society as he was never inducted as a member of the society, for which the Appellant relied on some letter dated 17.05.2022 issued by an alleged 'Secretary' of the society.

62. We are afraid even this ground being agitated by the learned Senior Counsel does not come to the rescue of the Appellants. Although, these grounds were not required to be specifically mentioned herein above, as a plain reading of these grounds would suffice and sufficiently indicate that these are elections disputes, however, we have purposefully mentioned herein above to assure ourselves that the grounds raised by the Appellant is fundamentally and technically an election dispute only and can be considered and examined by the Prescribed Authority under Section 25(1) of the Societies Registration Act, 1860, in accordance with law.

63. There is another aspect of the matter, in as much as it has been submitted by the learned Senior Counsel for the respondent that the Appellant has already participated in the proceedings before the Prescribed Authority and in that regard adjournment Applications have been referred by him to buttress his submission that when the Appellant has already submitted to the Jurisdiction of the Prescribed Authority, the law does not permit to challenge the jurisdiction of the prescribed Authority to adjudicate the issue's being raised in the present Appeal.

64. Since, we have already held herein above that the Prescribed Authority has the jurisdiction to adjudicate all ancillary issues relating to election dispute, be it the issue of memberships also, we do not wish to comment on the aforesaid ground raised by the learned Senior Counsel for

the respondent as it would be open to all the parties concerned to raise all such issues before the Prescribed Authority.

65. Be that as it may, for all the aforesaid reasons, we are unable to agree to any of the arguments made by the Appellant as the same being devoid of any merits. Accordingly, the present Appeals are ***Dismissed***.

66. Needless to say, the parties shall be at liberty to raise all such grounds, as may be permissible under law before the Authority/Court, before whom the present matter is engaging attention, including with regard to the membership.

67. The impleadment Application is *allowed* in the aforesaid terms.

68. There shall be no order(s) as to cost.

Epilogue

69. Admittedly, we have found that the last undisputed election had been in the year 2016. The next elections thereafter of the year 2021 is marred with controversy. As noted herein above, there are four factions, wherein one faction has set up their rights on the basis of an election said to have been held on 21.03.2021 wherein Shri Devendra Pal Verma (Appellant No.2) is said to have

been elected as a 'President'. The second faction is led by Shri Bhuwan Tiwari, wherein he claims rights on the basis of his election held on 20.02.2021. The third faction is led by Shri Vivek Singh, who alleges that his election was held on 07.03.2021. The fourth faction is led by Shri Ram Ratan Chaturvedi, who claims rights on the basis of an election dated 27.11.2021.

70. This Court cannot be oblivious to the sordid state of affairs of the Appellant-society, wherein presently there are at least four faction operating and each of them claims to be controlling the society, leaving the other three to challenge their legitimacy of functioning and sometimes even their membership.

71. However, we have been informed at the Bar that pursuant to the impugned order of the learned Single Judge, which has been the subject matter of the present *intra-court* Appeal, the Prescribed Authority has already passed an order. Interestingly, in keeping with the tradition of the litigatory activity of the society, the order passed by the Prescribed Authority stands challenged and the same is pending before a learned Single Judge of this Court vide *Writ-C- No. 2626 of 2026*, wherein preliminary objections have been raised and even an interim order has been passed by the learned Single Judge. We leave it to the wisdom of the learned Single Judge to decide the matter in such a manner, which could bring quietus to the issue of memberships of the society, be it by appointment of a receiver or an administrator or constitution of a committee of retired High Court judge, before any

election is held as the controversy and wounds of last election of 2021 has resulted in flocking of litigations to this Court.

72. Technically, in view of the aforesaid development and pendency of the matter before the learned Single Judge, the adjudication of this *intra-court* Appeal is purely academic and inconsequential. However, since we have been called upon to decide the correctness of the impugned order dated 19.12.2025 passed by a learned Single Judge, relating, we have taken the responsibility of passing this Judgment and accordingly have dismissed both the appeals in the given facts and circumstances.

July 27, 2026

Praveen

(Abdhesh Kumar Chaudhary,J.)

I agree

(Shekhar B. Saraf,J.)