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**IN THE COURT OF REGISTRAR, COOPERATIVE SOCIETIES,
JHARKHAND, RANCHI.**

(Arising out of Order dated 26.03.2025 & 09.05.2025 passed by Joint Registrar, Cooperative Societies,
South Chhotanagpur Division, Ranchi in Misc. case no 16/2024)

(Under section 48(6))

Misce. appeal Case No. 05/2025

Anil Shankar, S/O.- Late Chandi Shankar Prasad, resident of plot no. 42/c, Ashok Nagar,, P.O.- Doranda,
P.S.- Argora, Dist.- Ranchi. (Jharkhand) & another.....Appellants.

-vers-

Soumistha Banerjee, aged about 63 years, S/O.- Late Nihar Bindu Banerjee, resident of Plot No. 271/c,
Road no. 1/A, Ashok Nagar, P/O.- Doranda, P/S.- Argora, Dist.- Ranchi. &
others.....Respondents.

WITH

Misce. appeal Case No. 11/2025

Anil Shankar, S/O.- Late Chandi Shankar Prasad, resident of plot no. 42/c, Ashok Nagar,, P.O.- Doranda,
P.S.- Argora, Dist.- Ranchi. (Jharkhand) & another.....Appellants.

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Soumistha Banerjee, aged about 63 years, S/O.- Late Nihar Bindu Banerjee, resident of Plot No. 271/c,
Road no. 1/A, Ashok Nagar, P/O.- Doranda, P/S.- Argora, Dist.- Ranchi. & others.....Respondents.

Appellants Advocate - Mir. Abhishek kumar (9835311199)

Respondent No-1 - Self

Respondent No-2 - Self

Respondent No-3 - -----

Name of Society The Services Housing Cooperative Society Ltd.,
AshokNagar having its office at Ashok Nagar,
P/O.- Doranda, P/S.- Argora, Dist.- Ranchi
Jharkhand

Coram - Suraj Kumar (IAS), Registrar, Co-operative Societies,
Jharkhand, Ranchi.

-Order-

Dated- 22-05-2025

Summary of Petitioners' Claims and Grounds in Misc. Appeal No. 05/2025

Background of the Appeal:

Shri Soumistha Banerjee filed a petition (Misc. Case No. 16/2024) seeking disqualification of the appellants from their elected posts (Secretary and Joint Secretary) in the Services Housing Cooperative Society, Ranchi. The appellants raised a **preliminary objection** on **20.12.2024** arguing that the case was in essence an **election dispute**, not maintainable as a post-election miscellaneous matter, and was **barred by limitation**.

The **Joint Registrar**, however, **rejected the objection** on **26.03.2025**, treating the matter as a **non-election, miscellaneous proceeding** and directed the appellants to file a counter affidavit.

The appellants (as petitioners in this appeal) have challenged this preliminary order through **Misc. Appeal No. 05/2025** under **Section 48(6)** of the Jharkhand Cooperative Societies Act, 1935.

Grounds and Legal Claims Raised in Appeal:

1. Misclassification of the Dispute as "Miscellaneous"

- The appellants argue that the challenge to their eligibility was **based on alleged pre-election disqualification** (subsisting lease contracts).
- Hence, it falls squarely under **Rule 21-X** as an **election dispute**, and **cannot be entertained as a post-election miscellaneous matter** under Rule 24(2).
- The Joint Registrar's conclusion that it is not an election dispute is legally **incorrect and jurisdictionally flawed**.

2. Barred by Limitation under Rule 21-X

- The election was held on **19.06.2022**, and the challenge was filed in **late 2024**, i.e., more than **2.5 years later**.

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- **Rule 21-X of the Jharkhand Cooperative Societies Rules, 1959** mandates that *any election dispute must be raised within 30 days* from the declaration of result.
- Since no election petition was filed within this timeframe, the petition was **barred by limitation** and ought to have been dismissed at the threshold.

3. Binding Judicial Precedent Ignored

- The appellants rely on the judgment of the **Patna High Court** in *Sita Ram Sah v. State of Bihar*, 1980 PLJR 107, which held:

"Any challenge to the eligibility or disqualification of a candidate must be brought within 30 days through an election petition. No collateral or post-election challenge is permissible."
- The Joint Registrar **failed to apply this binding precedent** and wrongly assumed jurisdiction to hear a time-barred petition by reclassifying it.

4. Non-Joinder of Necessary Party

- The **Returning Officer** who conducted the election was not made a party in the original petition.
- Since the dispute related to election eligibility, **non-joinder of the Returning Officer renders the petition legally defective.**

Prayer in Misc. Appeal No. 05/2025:

The appellants respectfully pray that the Registrar:

1. **Set aside the order dated 26.03.2025** passed by the Joint Registrar in Misc. Case No. 16/2024 for being without jurisdiction.
2. **Hold that the petition filed by Respondent No.1 (Shri Soumistha Banerjee) is not maintainable**, being barred by limitation under Rule 21-X.
3. **Grant interim stay** on further proceedings in Misc. Case No. 16/2024 during pendency of the appeal.
4. Pass **any other order** deemed fit in the interest of justice.

Summary of Petitioners' Claims and Grounds in Misc. Appeal No. 11/2025

Background of the Appeal:

The petitioners were elected as **Secretary and Joint Secretary** of the **Services Housing Cooperative Society**, Ashok Nagar, Ranchi. A challenge was brought against their election by Shri Soumistha Banerjee before the Joint Registrar (Misc. Case No. 16/2024), alleging that they were **disqualified due to subsisting lease contracts** with the society. The Joint Registrar passed a final order on **09.05.2025**, holding them disqualified and ordering their removal.

This appeal (Misc. Appeal No. 11/2025) has been filed before the **Registrar, Cooperative Societies, Jharkhand**, under **Section 48(6)** of the Jharkhand Cooperative Societies Act, 1935, seeking to **set aside the said final order.**

Grounds and Claims Raised by the Petitioners in Appeal:

1. Improper Classification of the Dispute (Wrong Forum & Procedure)

- The petitioners argue that the original case filed by Respondent No.1 was in essence an **election dispute** challenging their eligibility to contest and hold office.
- As per **Rule 21-X of the Jharkhand Cooperative Societies Rules, 1959**, such disputes must be raised **within 30 days of the declaration of election results.**
- In this case, the petition was filed **after more than 2.5 years**, making it **barred by limitation.**
- The Joint Registrar wrongly treated it as a "miscellaneous post-election matter" under **Rule 24(2)**, bypassing the mandatory limitation and election dispute mechanism.

2. Violation of Rule 21-X – Time-barred Petition

- Petitioners contend that since the challenge related to **pre-election disqualification** (subsisting lease), it had to be raised **during scrutiny of nominations (Rule 21-N)** or via an **election petition within 30 days.**
- Relying on the Patna High Court judgment in *Sita Ram Sah v. State of Bihar*, 1980 PLJR 107, they assert that **no collateral or delayed challenge** is permissible after the 30-day limitation

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expires.

3. Improper and Inadmissible Evidence Relied Upon

- The disqualification was based on **unstamped and unregistered lease documents**, which were inadmissible as evidence under:
 - **Section 35 of the Indian Stamp Act, 1899** (prohibits use of unstamped documents in evidence),
 - **Section 49 of the Registration Act, 1908** (bars unregistered leases from being used to affect immovable property).
- Despite this, the Joint Registrar based his disqualification order on these documents **without following the impounding procedure** or affording opportunity to cure the defect.

4. Violation of Principles of Natural Justice

- Petitioners claim they were **not given proper notice or opportunity to be heard**.
- The Joint Registrar passed the final order even when **Misc. Appeal No. 05/2025**, challenging the preliminary maintainability order, was **already pending** before the Registrar.
- Time petitions for adjournment were filed on **15.04.2025** and **17.04.2025**, yet the Joint Registrar proceeded to **reserve and issue the final order on 09.05.2025**, violating fair procedure.

5. Jurisdictional Overreach – No Power to Order Removal

- The Joint Registrar directed the **Chairman** of the society to **remove the petitioners** from office, which was carried out via Office Orders (Memo Nos. 117 and 118 dated 11.05.2025).
- Petitioners assert that:
 - The **Joint Registrar has no statutory authority under Section 48 or any provision of the Act** to order direct removal of elected office-bearers.
 - The **Chairman also has no adjudicatory or removal power** under the law.
- Hence, the removal orders are **ultra vires** and **void ab initio**.

Prayer in Misc. Appeal No. 11/2025:

The petitioners pray that the Registrar:

1. **Set aside the order dated 09.05.2025** passed by the Joint Registrar in Misc. Case No. 16/2024.
2. **Quash Office Order Memo Nos. 117 and 118 dated 11.05.2025** that removed them from their posts.
3. **Stay the operation** of the impugned order during the pendency of this appeal.
4. Pass **any other appropriate direction** deemed just and proper in the interest of justice and fair play.

Submissions of Respondent No. 2 and Supplementary Pleading of the Petitioners

Respondent No. 2 – Submissions by Chairman, Service Housing Co-operative Society:

1. Maintainability Not Barred:

Respondent No. 2 contends that the petition before the Joint Registrar was maintainable as a post-election disqualification matter under **Section 48(2)** and **Rule 24(2)**, and that the classification of the dispute as “miscellaneous” was legally proper.

2. Bye-Laws Provide for Removal:

He further argues that **Clauses 27(2)(d)** and **27(3)(a)** of the Society’s Bye-laws empower the society to remove a member holding a disqualifying interest, regardless of when that interest arose.

3. Continuing Cause of Action:

It is contended that even if the lease contract began before election, its continuance during the term of office renders the member **continuously disqualified**, giving rise to a cause of action even after the election.

4. Admissibility of Lease Document:

Respondent claims that the **lease/allotment document** was only indicative of contractual interest, and its non-registration/stamping did not affect its evidentiary relevance under the facts of the case.

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5. **Chairman Acted on Registrar's Direction:**

He asserts that his issuance of the Office Order (Memos 117 & 118) merely implemented the directions of the Joint Registrar and does not independently attract judicial scrutiny.

6. **Public Interest Justification:**

Finally, Respondent argues that once illegality (disqualification) is noticed, procedural technicalities (like limitation or stamp duty) should not prevent corrective action in the public interest.

Petitioners' Supplementary Submission:

In response, the petitioners filed a supplementary submission arguing:

1. **Unauthorized Affidavit by Respondent No. 2:**

The counter affidavit filed by the Chairman is without any **board resolution or authorization** from the Society. Hence, it **cannot be treated as the institutional position** of the Services Housing Cooperative Society.

2. **Lack of Locus:**

Petitioners contend that the Respondent Chairman was **not a party to the original disqualification petition** before the Joint Registrar, and thus has no legal standing to defend the impugned orders on behalf of the society without explicit authority.

Background

1. **Parties and Context:** These two miscellaneous appeals arise out of a dispute relating to the continued holding of elected offices (Secretary and Joint Secretary) in the **Services Housing Cooperative Society**, Ashok Nagar, Ranchi. The Appellants in both appeals, **Shri Anil Shankar** and **Shri Shankar Prasad Verma**, were elected to the society's Managing Committee in 2022. Subsequently, **Respondent No. 1, Shri Soumistha Banerjee**, filed **Misc. Case No. 16/2024** before the **Joint Registrar, Cooperative Societies, South Chhotanagpur Division, Ranchi (Respondent No. 3)**, challenging the appellants' right to hold office. The core allegation made by the petitioner was that the appellants, at the time of their election and thereafter, were parties to **subsisting lease agreements** with the society in respect of commercial premises, thereby attracting **disqualification under Rule 23(1)(c) of the Jharkhand Cooperative Societies Rules, 1959**, which prohibits a person from holding office in the Managing Committee if they are a party to a contract with the society. The disqualification was thus not based on the validity of their membership per se, but on the ground that a **contractual interest (lease) with the society** created a conflict of interest disqualifying them from elected office. In support of this claim, the petitioner relied upon alleged lease agreements which were **unstamped and unregistered**, and which the appellants objected to as **inadmissible evidence** under the **Indian Stamp Act, 1899** and the **Registration Act, 1908**.
2. **Impugned Orders of Joint Registrar:** The Joint Registrar entertained the challenge as a "miscellaneous post-election matter," instead of a formal election dispute. Overruling the Appellants' preliminary objections, the Joint Registrar first passed an order dated **26.03.2025**, implicitly holding the challenge maintainable. Thereafter, upon inquiry, the Joint Registrar issued a final order on **09.05.2025** allowing the Respondent's claims. In the final order, the Joint Registrar concluded that the Appellants' election was vitiated due to irregularities in their membership documents (the unstamped/unregistered lease). He **disqualified the Appellants from holding the offices of Secretary and Joint Secretary**, and directed their **removal with immediate effect**. Pursuant to this, Respondent No.3 (the President of the Cooperative Society) issued Office Order Memo Nos. 117 and 118 dated 11.05.2025 removing the Appellants from their respective posts forthwith.
3. **Appeals to Registrar:** Aggrieved by the Joint Registrar's actions, the Appellants have filed the present appeals before the Registrar, Cooperative Societies, Jharkhand under **Section 48(6) of the Jharkhand Cooperative Societies Act, 1935**. Misc. Appeal No. 05/2025 challenges the interim order dated 26.03.2025, and Misc. Appeal No. 11/2025 challenges the final order dated 09.05.2025. The appeals were taken up together at the admission stage, given that they arise from

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the same underlying dispute and involve identical parties and questions of law. The Appellants have also prayed for interim relief – specifically, **stay of the operation of the impugned orders** – citing serious legal infirmities in the Joint Registrar’s decision-making process.

4. **Proceedings:** Upon issuance of notice, the Respondents appeared. Given the overlapping issues, both appeals have been **clubbed for hearing together** at the admission stage. This consolidated order disposes of the questions of admissibility and interim relief in both appeals. The Court has heard extensive submissions from both sides. The Appellants contend that the Joint Registrar’s orders suffer from **multiple legal and procedural errors**, including: (a) wrongful classification of the election challenge as a “miscellaneous” matter to evade the 30-day limitation on election disputes; (b) failure to consider the bar of limitation under **Rule 21-X** of the 1959 Rules; (c) improper reliance on or rejection of crucial evidence (the lease deed) on technical grounds of stamp and registration, without following due process; (d) violation of principles of **natural justice** and fair hearing; and (e) **jurisdictional overreach**, inasmuch as the Joint Registrar exceeded his authority by ordering removal of duly elected representatives in a manner not authorized by the Act. The Respondents, per contra, support the impugned orders, arguing that the Joint Registrar acted within his powers to rectify illegality in the society’s affairs. They submit that the Appellants were disqualified due to not having valid title or membership, and that technicalities should not come in the way of substantive justice.

Points for Determination

5. At this stage (admission and interim relief), the Court is not conducting a final adjudication but must assess, **prima facie**, whether the Appellants have raised substantial issues that cast doubt on the correctness and legality of the impugned orders. The main points requiring determination are:
- a. Classification & Limitation:** Whether the Joint Registrar erred in treating the challenge to the Appellants’ election as a miscellaneous post-election proceeding, thereby bypassing the mandatory limitation period and procedure for election disputes under the Jharkhand Cooperative Societies Act, 1935 and Rules, 1959.
- b. Legal Provisions – Section 48 and Rule 21-X:** Whether the proceeding was time-barred under **Rule 21-X** of the Jharkhand Cooperative Societies Rules, 1959 and Section 48 of the Act, and if so, whether the Joint Registrar had any jurisdiction to entertain it beyond the prescribed period.
- c. Admissibility of Evidence (Unstamped/Unregistered Lease):** Whether the Joint Registrar’s findings regarding the appellants’ alleged disqualification were vitiated due to improper reliance on **unstamped and unregistered lease documents** produced by the complainant, specifically:
- (i) whether such documents could be legally relied upon to prove a **subsisting contractual interest** between the appellants and the society without following the procedure for **impounding and regularization** under the **Stamp Act, 1899** and without satisfying the requirements of the **Registration Act, 1908**, and
- (ii) whether the Joint Registrar erred in **accepting unauthenticated photocopies** of these documents as conclusive evidence of disqualification, without examining society records or considering other relevant evidentiary material.
- d. Denial of Natural Justice:** Whether the proceedings before the Joint Registrar violated principles of natural justice – for instance, by not affording the Appellants a fair opportunity to be heard, to file a comprehensive defence (including the preliminary objection on maintainability), or to respond to adverse materials – thereby rendering the outcome suspect.
- e. Jurisdictional Overreach and Improper Relief:** Whether the Joint Registrar acted beyond his statutory powers by effectively removing elected office-bearers from their positions. This involves examining if the Joint Registrar’s orders (especially the direction resulting in immediate removal of the Appellants) had any basis in law, or if they amount to a **nullity** for want of jurisdiction and sanction of law.
6. Each of the above points is addressed in the **Analysis** below. Where relevant, the Court also considers authorities from the Hon’ble Supreme Court and High Courts (Patna High Court, Jharkhand High Court, and others) to ascertain the correct legal position. The **Jharkhand**

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Cooperative Societies Act, 1935 (hereinafter “the Act, 1935”) and the **Jharkhand Cooperative Societies Rules, 1959** (hereinafter “the 1959 Rules”) are quoted and applied wherever necessary.

Legal Analysis

A. Election Dispute vs Miscellaneous Petition – Classification & Limitation

7. **Statutory Scheme for Election Disputes:** The Act, 1935 and the 1959 Rules lay down a specific mechanism for challenging cooperative society elections. In particular, **Rule 21-X of the Jharkhand Cooperative Societies Rules, 1959** provides: “*Any dispute relating to election of a co-operative society may be raised within 30 days from the date of declaration of the result and such dispute shall be decided under Section 48 of the Jharkhand Co-operative Societies Act, 1935.*”. Section 48 of the Act, 1935 in turn designates the Registrar, Cooperative Societies (or his nominee) as the authority to decide such disputes. In simpler terms, once the results of a cooperative society’s election are declared, any challenge to that election *must* be brought as a **dispute under Section 48** within **30 days** of result declaration. This 30-day limitation is mandatory and acts as a **special limitation period** akin to an election petition deadline
8. **Erroneous Classification of Dispute under Rule 24(2) Instead of Rule 21-X:** In the impugned order dated **26.03.2025**, the Learned Joint Registrar concluded that the dispute raised in **Misc. Case No. 16/2024** was not an “election dispute” but rather a **miscellaneous post-election matter**, purportedly governed by **Rule 24(2)** of the **Jharkhand Cooperative Societies Rules, 1959**. The basis of this classification was that the petitioner did not challenge the election procedure itself, but sought the **removal of elected office-bearers** on the ground that they were **holding a disqualifying contractual interest** with the society — namely, a **subsisting lease**. This conclusion, however, is **legally flawed**, as it mischaracterizes the nature of the relief sought and **misapplies the statutory framework**. The petitioner’s core allegation was that the appellants were **disqualified at the time of their nomination** due to an existing contractual relationship with the society, and therefore were **ineligible to contest the election itself**. In substance, this constitutes a **challenge to the validity of their election**, not merely their continuation in office. The prayer was not limited to cessation of office under Rule 24(2), but was aimed at **invalidating their election due to pre-existing disqualification**. Under **Rule 23(1)(c)**, a person is disqualified from being elected if they are a party to a **subsisting contract** with the society. **Rule 23(3)** extends such disqualification to those who continue to hold office. However, **Rule 21-N** governs the scrutiny of nominations, and any objection relating to such disqualifications must be raised **at that stage**. If a disqualified person is elected despite such disqualification, the remedy lies in **Rule 21-X**, which provides that “*any dispute relating to the election of a cooperative society shall be raised within 30 days from the date of declaration of result.*” The petition, filed long after the expiry of that period, was in substance a time-barred election dispute. Attempting to bypass the **mandatory 30-day limitation** under Rule 21-X by reframing it as a post-election disqualification under Rule 24(2) is **procedurally impermissible**. It is settled law, including in **Sita Ram Sah v. State of Bihar**, 1980 PLJR 107, that **no collateral or delayed challenge** to election eligibility can be entertained outside the framework of an election petition filed within the statutory limitation. Therefore, the classification of the petition as a “miscellaneous” matter under Rule 24(2) is not legally sustainable and constitutes an **erroneous assumption of jurisdiction** by the Joint Registrar.
9. **Post Election Legal Remedy:** Once an election has been held and results declared, **Rule 21-X** governs the legal remedy. It states:

“Any dispute relating to the election of a co-operative society may be raised within 30 days from the date of declaration of result and shall be decided under Section 48 of the Act.”

The statutory language is **mandatory**, not directory. The legislative intent is to ensure that all **election disputes**, including those based on **pre-existing ineligibility or disqualification**, are adjudicated **promptly and exclusively** through a structured election petition, filed within a strict **30-day limitation period**. The attempt by the petitioner to **circumvent the limitation period**

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under Rule 21-X by framing the disqualification as a "post-election matter" under **Rule 24(2)** is **procedurally impermissible**. Rule 24(2) reads:

“A member of the managing committee shall cease to hold office, if he incurs any of the disqualifications mentioned in Rule 8 or Rule 23.”

However, Rule 24(2) only contemplates **disqualifications incurred after election**, i.e., those that **arise during the term of office**. It **does not provide a substitute** for challenging the *eligibility* of a candidate at the time of election. To hold otherwise would render Rule 21-X and the 30-day limitation period **nugatory**, and permit **collateral, delayed attacks** on completed elections—contrary to the statutory scheme and settled law. The **Joint Registrar’s failure to apply this binding precedent**, and his misclassification of the dispute as a miscellaneous one falling under Rule 24(2), amounts to a **jurisdictional error**. It resulted in his assuming authority to adjudicate a matter which was, in fact, **barred by limitation** and should have been dismissed **in limine**. These errors go to the **root of jurisdiction** and render the order unsustainable in law. On this ground alone, the appeal raises substantial questions that warrant admission and interim protection.

10. **Joint Registrar’s Evasion of Rule 21-X:** In the present case, Respondent No.1’s challenge to the Appellants’ election was admittedly filed well beyond 30 days after the election results. The election was held on **19.06.2022**, whereas the challenge (Misc. Case 16/2024) was initiated on **19.12.2024 (After a delay of 2.5 years)**. The Respondent sought to justify this by not styling her application as a formal “election dispute,” but rather invoking other provisions (such as Rule 23 and 24 of the Rules) to “*disqualify*” the Appellants from their posts. The Joint Registrar accepted this subterfuge, registering the case as a “Miscellaneous” case and proceeding to hear it on merits. **Prima facie, this was a serious error**. The substance of the grievance was undeniably an election dispute – the petitioner was “*in effect asking to overturn the result of an election by disqualifying the elected candidates*”. Merely labelling it a *miscellaneous post-election matter* cannot alter the substantive nature of the relief sought. By entertaining the matter in this form, the Joint Registrar effectively **bypassed Rule 21-X’s mandatory limitation** and procedural safeguards, which **ought not to have been allowed**.
11. **Maintainability under Rule 24(2):** The argument raised by Respondent No. 2 that the present petition is maintainable under Rule 24(2) of the Jharkhand Cooperative Societies Rules, 1959, and not governed by Rule 21-X, is legally untenable. Rule 24(2) deals specifically with disqualifications that arise after a member has been elected to the Managing Committee. In contrast, the disqualification alleged in this case — that the appellants held a subsisting lease contract with the society — is an alleged fact that existed at the time of nomination. Such a claim of ineligibility squarely falls within the scope of Rule 21-X, which mandates that all election-related disputes be raised within 30 days of the declaration of results. Allowing such a challenge under Rule 24(2) post facto would subvert the time-bound election dispute mechanism prescribed by the Rules and render the statutory limitation period under Rule 21-X meaningless.
12. **Patna High Court on 30-day Limit:** The legal position on this issue is well-settled. The Hon’ble Patna High Court in *Sita Ram Sah v. State of Bihar & Ors*, considered the question of **limitation for raising an election dispute under Rule 21-X**. In that case, an election for the management committee of a Primary Agricultural Cooperative Society (Bahuarba PACS) was challenged beyond 30 days, with the petitioner contending that limitation should run from the date of issuance of the election result certificate (issued later) rather than the date of declaration of result. The Division Bench rejected that contention and **emphasized the strict applicability of the 30-day rule**. The Court explicitly held that the limitation of 30 days **runs from the date of declaration of the election result** (and not any later date), and that a challenge beyond this period is time-barred. The relevant rule was reproduced and the Court found its language unambiguous – the clock starts ticking once results are declared. Consequently, the election petition in *Sita Ram Sah* was dismissed as time-barred, a decision upheld on appeal. This ruling underscores that **courts/registrars have no flexibility to extend or overlook the 30-day deadline** for election disputes in cooperative societies.

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13. **Bye-Laws Conferring Disqualification Power:** Respondent No. 2's reliance on Clauses 27(2)(d) and 27(3)(a) of the society's bye-laws to justify post-election disqualification overlooks a fundamental principle of cooperative law: bye-laws cannot override the statutory framework. Even if the bye-laws provide for the cessation of membership or office based on contractual interest, the procedure for adjudicating such disqualification must conform to the process laid down in the Jharkhand Cooperative Societies Act, 1935, and the Rules, 1959. Where a statute provides a specific remedy for a category of dispute — in this case, Rule 21-X for election disputes — the invocation of general bye-law provisions to bypass that process is impermissible.
14. **No Condonation of Delay Absent Statutory Provision:** Unlike general civil cases, the cooperative societies election regime does not typically incorporate Section 5 of the Limitation Act for condoning delays (and no such condonation was either sought or granted in the present case). The language of Rule 21-X is peremptory ("*may be raised within 30 days*"), indicating the legislative intent to impose a **short, strict limitation** to ensure prompt resolution of election controversies. The policy is akin to that in general elections under the Representation of People Act, where election petitions have a rigid limitation and **belated challenges are not allowed to destabilize the result**. Thus, once the Joint Registrar noted that the challenge was filed beyond 30 days of the result, he had no jurisdiction to entertain it **at all**, except to dismiss it in limine on that ground.
15. **Duty to Examine Maintainability:** The record reveals that the Appellants (as Respondents in the misc. case) did raise a **preliminary objection on 20.12.2024** specifically pointing out the bar under Rule 21-X and arguing that the petition was not maintainable as an election dispute beyond time. In the Court's view, the Joint Registrar was duty-bound to address this objection as a threshold issue. However, his order dated 26.03.2025 glossed over the limitation point by deeming the petition maintainable under Section 48 generally, without satisfying the **condition precedent** of being filed within 30 days. This approach is legally unsustainable. An **authority acting under a statute must scrupulously ensure that the conditions and time-frames imposed by the statute are respected**. Entertaining a time-barred dispute by a creative re-classification amounts to an **erroneous assumption of jurisdiction**.
16. **Supreme Court on Exclusive Election Remedies:** The Hon'ble Supreme Court has repeatedly held that where a special remedy is provided for election grievances in a statute, that remedy is both **exclusive and exhaustive**. In *Umesh Shivappa Ambi v. Angadi Shekara Basappa*, (1998) 4 SCC 529, the Supreme Court dealing with a cooperative society election observed that *once an election process is over, an aggrieved party must pursue the statutory election dispute mechanism, and the High Court (or any authority) should not ordinarily interfere in election matters outside of that mechanism*. The clear implication is that parties cannot circumvent the prescribed remedy or its conditions (such as limitation) by resorting to other stratagems or parallel proceedings. Similarly, in *K.K. Shrivastava v. Bhupendra Kumar Jain*, (1977) 2 SCC 494, the Supreme Court refused to allow an election challenge (in that case, to a Bar Council election) via a writ petition, underscoring that *efficacious alternative remedies within the Act must be followed, and the tight timelines therein must be honoured*. These rulings reinforce the principle that **election disputes in cooperative bodies are a special category where promptitude is mandated by law, and belated or collateral attacks are not permissible**.
17. **Continuing Cause of Action for Lease:** Respondent No. 2's assertion that the alleged lease creates a 'continuing cause of action' misstates the scope of election law. In cooperative election jurisprudence, the relevant question is whether the disqualification existed on the date of nomination. If the disqualification was pre-existing, then it had to be raised through an election petition within the prescribed limitation under Rule 21-X. The concept of a 'continuing cause' cannot be used to re-open a time-barred eligibility challenge simply because the effects of the alleged disqualification persisted into the tenure.
18. **Prima Facie Finding – Limitation:** In light of the above, this Court finds that the Appellants have made out a strong prima facie case that the Joint Registrar's proceedings were **patently time-barred** under Rule 21-X. He erred in entertaining the election dispute as Miscellaneous

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Dispute under the guise of Section 24(2) of the 1959 Rules. The device of treating the petition as a “miscellaneous case” cannot cure this fatal defect. The Joint Registrar **had no jurisdiction to entertain a challenge to the election after the expiry of 30 days from result declaration**, and by doing so, **acted without lawful authority**. An order passed without jurisdiction is a legal nullity. Therefore, the impugned orders dated 26.03.2025 and 09.05.2025 are, prima facie, **void ab initio** for having been made in a proceeding that itself was not maintainable in law. This ground alone would justify admission of the appeals and interim interference by this appellate authority. Nevertheless, for completeness, the Court also examines the other serious flaws alleged.

B. Admissibility of Unstamped/Unregistered Lease – Evidentiary Impropriety

19. **Improper reliance on Lease Documents Produced by the Complainant:** The impugned order dated **09.05.2025** passed by the Learned Joint Registrar relies substantially on certain **lease agreements** presented by the original petitioner (Shri Soumista Banerjee) to establish that the appellants had a **subsisting financial contract with the society**. These documents were used to conclude that the appellants were disqualified under **Rule 23(1)(c)** of the Jharkhand Cooperative Societies Rules, 1959. However, the documents relied upon were **unregistered and unstamped copies**, allegedly of lease deeds, which were **not produced by the society, not executed by the appellants**, and were **neither registered nor duly stamped**. The appellants objected to their admissibility, arguing that these documents could not form the basis of any adverse finding in law. Despite this, the Joint Registrar treated them as conclusive proof of disqualification without conducting any further verification or evidentiary inquiry.
20. **Bar Under Section 35 of the Indian Stamp Act, 1899:** Under **Section 35** of the **Indian Stamp Act, 1899**, any instrument that is chargeable with stamp duty is **inadmissible in evidence** for any purpose unless it is duly stamped. In the present case, the lease documents relied upon to establish that the appellants held a subsisting contract with the society are, on their face, **chargeable with duty** under the Act, as they purport to convey an interest in immovable property. The statute further provides under **Section 33** that such documents, if found unstamped or insufficiently stamped, must be **impounded** by the authority before whom they are produced, and the party relying on the document must be given an opportunity to pay the **deficit duty and penalty** under **Section 35, proviso (a)**. However, in the present case, the **Joint Registrar neither impounded the documents** nor followed the prescribed mechanism for curing the defect. Instead, the documents were **relied upon directly**, and treated as conclusive evidence of disqualification under Rule 23(1)(c). This constitutes a **procedural and legal impropriety**. Reliance on an **inadmissible instrument** — especially where the consequences include disqualification from elected office — is a serious violation of both **evidentiary law and principles of natural justice**. The failure to follow statutory procedure under the Stamp Act thereby undermines the legality of the findings recorded.
21. **Inadmissibility Under Section 49 of the Registration Act, 1908:** Further, under **Section 17(1)(d)** of the **Registration Act, 1908**, lease deeds involving immovable property for a term exceeding one year are **compulsorily registrable**. The lease agreements relied upon by the original petitioner — which were neither registered nor executed through any formal resolution of the society — fall squarely within the category of instruments that are required to be registered under law. Under **Section 49** of the same Act, such unregistered documents are barred from being received in evidence to *“affect any immovable property comprised therein”*, or to *“be received as evidence of any transaction affecting such property”*. This statutory bar directly applies where the purpose of the document is to **establish a legal relationship or right in property**, as was sought in this case to prove a **subsisting contractual interest** between the appellants and the society. The **evidentiary utility of these documents would be limited** under Section 49 to proving collateral facts such as **possession**, but **not to establish the legal existence of a lease contract** for the purpose of invoking **disqualification under Rule 23(1)(c)** of the Jharkhand Cooperative Societies Rules, 1959. The distinction is critical — proof of possession is not equivalent to proof of a legally subsisting contract. By accepting these **unregistered documents**

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as **conclusive proof of a disqualifying contractual relationship**, and thereby disqualifying elected office-bearers, the Joint Registrar committed a **clear error of law**. The statutory requirements of admissibility were bypassed without explanation or legal basis, which **vitiates the evidentiary foundation of the impugned order**.

22. **Lack of Authentication and Failure to Examine the Society's Records:** Another grave omission was the **failure to authenticate the lease documents** through proper evidentiary means. The **Services Housing Cooperative Society**, which would have been the lessor in these transactions, was **not examined** through any authorized office-bearer. **No confirmation or certification** of the lease from society records was obtained, nor was any managing committee resolution, lease register, or payment receipt produced. In absence of authentication, these documents **remained private, unproven documents**. The law mandates that documentary evidence must be proved by **primary evidence** (Section 62, Indian Evidence Act) or be **properly admitted** through verification. Photocopies/Papers unsupported by oral or documentary testimony from the originating source **cannot be relied upon**, especially for determinations involving electoral rights and disqualifications. The Joint Registrar's omission to demand such authentication or scrutiny raises serious doubts about the **procedural fairness and legal soundness** of the conclusion.
23. **Admissibility of Lease Documents:** The Respondent's claim that the lease documents need not conform to the requirements of the Stamp Act and Registration Act because they were merely illustrative is flawed in law. Documents that are unstamped and unregistered — especially when relied upon to prove disqualification due to a financial interest — are inadmissible unless duly regularized through statutory procedures. Section 35 of the Indian Stamp Act, 1899, bars their admissibility unless impounded and penalty paid. Similarly, Section 49 of the Registration Act, 1908, prevents unregistered leases from being used to prove legal interests in immovable property. The Joint Registrar's acceptance of such documents, without verifying their legal sufficiency or impounding them, was procedurally improper and substantively prejudicial.
24. **Violation of Evidentiary Norms In Quasi-Judicial Proceedings:** Even in quasi-judicial proceedings like those under **Section 48 of the Jharkhand Cooperative Societies Act, 1935**, adherence to basic principles of natural justice and evidentiary fairness is imperative. The **Supreme Court of India** has consistently held that quasi-judicial bodies are required to apply **judicial standards** of evidence and reasoning, especially when their decisions affect civil rights, such as **the right to hold elected office**. In the present case, the Joint Registrar relied on documents that were **procedurally barred, legally inadmissible, and factually unverified**. This failure to apply minimum evidentiary standards amounts to **denial of due process**, rendering the finding of disqualification **unsustainable in law**.
25. **Prima Facie Finding – Evidentiary Impropriety Undermines the Order:** In View of the above, this court is of the opinion that the impugned order suffers from **evidentiary impropriety** and **procedural lapses**. The disqualification of the appellants is based on documents that:

- i. were **not duly stamped** or impounded as per the **Stamp Act**,
- ii. were **unregistered**, hence inadmissible under the **Registration Act**,
- iii. were **not authenticated** or verified through any proper witness or source, and
- iv. were **accepted into evidence without lawful process** or opportunity for rebuttal.

Given the above, it is evident that the Joint Registrar's conclusion of disqualification lacks **both legal foundation and evidentiary rigor**, and hence the impugned order dated **09.05.2025** cannot, prima facie, be sustained.

C. Violation of Natural Justice

26. **Lack of Hearing and Opportunity:** The appellants have alleged that the orders passed by the Learned Joint Registrar were in violation of the **principle of audi alteram partem**, i.e., the fundamental right to a fair hearing. The case record and procedural chronology provide

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substantive basis for this grievance. Firstly, the **preliminary objection** regarding maintainability of the original petition (Misc. Case No. 16/2024) was filed by the appellants on **20.12.2024**, challenging the jurisdiction of the Joint Registrar and asserting that the petition was in substance an **election dispute barred by limitation**. However, the Joint Registrar disposed of this objection on **26.03.2025**, classifying the matter as a miscellaneous post-election disqualification under Rule 24(2), without providing **detailed reasoning** on the core legal question raised. The order is **silent on whether the preliminary issue was fully heard**, and whether the parties were permitted to lead arguments or produce supporting case law. Secondly, within less than six weeks of that order, the **final decision** disqualifying the appellants and ordering their removal was passed on **09.05.2025**. The timeline — from framing of issues to final adjudication of a matter involving **complex legal and factual issues** (e.g., disqualification under Rule 23, validity of lease documents, admissibility under the Stamp and Registration Acts, and interpretation of society bye-laws) — was **unusually truncated**, raising concerns about the depth of inquiry. Further, there is **no indication on record that the appellants were allowed to cross-examine any witnesses**, inspect the society's internal records, or contest the authenticity of the lease documents produced by the complainant. The lease agreements, being **unstamped and unregistered photocopies**, were relied upon by the Joint Registrar without requiring **authentication or impounding**, and without affording the appellants an opportunity to **formally rebut or inspect the documents** in accordance with procedural fairness. Moreover, the record reflects that **the appellants sought time for reply** on **15.04.2025** and again on **17.04.2025**, which suggests that they had **not yet been furnished complete pleadings or annexures** from Respondent No.1. Yet, the Joint Registrar proceeded to **reserve judgment and issue final orders** soon thereafter — without any indication that the appellants' request for time was granted or decided upon. While a full determination on this procedural challenge would require a more detailed factual inquiry, **prima facie**, the record reveals several **indicators of procedural irregularity and denial of fair hearing**. In matters involving **removal of elected office-bearers**, the requirements of natural justice must be observed with heightened rigour. On the present material, it appears that the Joint Registrar's proceedings **fell short of that threshold**, and this further reinforces the provisional case for **interim protection and appellate scrutiny**.

27. **Natural Justice in Administrative Tribunals:** It is trite that any adjudicatory forum, even one that is not a court in the strict sense, must observe natural justice if its decision affects the rights or status of parties. The Registrar or Joint Registrar acting under Section 48 of the Act exercises quasi-judicial powers and is obliged to follow a fair procedure. This includes: clear notice of the case to the parties, opportunity to file replies and evidence, oral hearing if requested, and a reasoned order addressing the key contentions. If, for instance, the Joint Registrar relied on the society's internal records to conclude that the Appellants' membership was irregular, was this fact ever put to the Appellants to explain or counter? The absence of such opportunity would violate natural justice. The **Supreme Court** in numerous decisions has held that any order which has civil consequences (such as removing an elected official from office) must be made consistently with natural justice, unless the law expressly excludes it. In *State of Orissa v. Binapani Dei*, AIR 1967 SC 1269, the Court famously said that even an administrative order which entails adverse consequences must be preceded by notice and hearing, for that is "**an essential part of fair procedure**". This underscores that the highest court mandates a real and meaningful opportunity of hearing in disputes under the Cooperative Societies Act.
28. **Denial of Fair Hearing – Prima Facie View:** In the present case, the **denial of natural justice is apparent** from one fact alone: the Joint Registrar proceeded to grant relief (the disqualification and removal of the Appellants) that was not only drastic but also based on legal grounds that evolved during proceedings (stamp/registration issue). The Appellants should have been specifically asked to show cause why such an extreme step – removal from elected office – should be taken, and why, for instance, lesser measures (like allowing cure of the document, or referring the matter to the general body of the society) would not suffice. The impugned orders give the impression that the Joint Registrar made up his mind on certain points without

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adequately hearing the Appellants' defense on those points. This is the very mischief that the doctrine of natural justice aims to prevent – **condemnation without an adequate hearing**. Therefore, the Court finds, prima facie, that the process adopted by the Joint Registrar fell short of the standards of fairness. This further strengthens the case for intervening in appeal.

D. Jurisdictional Overreach and Improper Exercise of Authority

29. **Scope of Joint Registrar's Powers under the Act:** Even assuming, arguendo, that the Joint Registrar could entertain the dispute, a question arises whether the **relief granted** was within his competence. The order dated 09.05.2025 does two things: (i) it nullifies the election of the Appellants (in effect, though styled as “disqualifying” them from holding office), and (ii) it triggers their immediate removal by administrative instruction (through Respondent No.2's memos). Under the Act, 1935, a dispute under Section 48 empowers the deciding authority to make a finding on the validity of an election – for instance, to set aside an election if it was improperly held or if a candidate was ineligible. However, ordinarily, upon such finding, the consequence would be to declare the election void **and order fresh election** or declare the next candidate (if any) as elected, depending on the prayer and rules. The Joint Registrar, in contrast, issued what amounts to a **disciplinary or removal order**. This strays beyond pure dispute adjudication into the realm of **executive action**, for which separate provisions exist (such as Section 41 of the Act for removal of committee or members for misconduct, etc., usually exercisable by the Registrar/Government with due procedure).
30. **Improper Blend of Functions:** By treating the matter as a “post-election miscellaneous case,” the Joint Registrar seems to have blended **electoral adjudication** with a summary **administrative removal** process. This is **jurisdictionally inappropriate**. If the issue was that the Appellants were never valid members, the proper course was to invalidate their election – which then necessitates the cooperative society to fill those posts as per law. The Joint Registrar had no direct power to “remove” them from office as a punitive measure, because their tenure flows from an election, not an appointing authority's pleasure. The **Hon'ble Supreme Court** has noted that in cooperative bodies, the removal or supersession of elected managing committee members is a severe step and must strictly conform to the statute (see, e.g., *State of M.P. v. Sanjay Nagayach*, (2013) 7 SCC 25, which dealt with supersession of a cooperative bank's board – the Court stressed the importance of adhering to statutory grounds and procedure). In our case, the Joint Registrar's order of removal finds no explicit sanction in Section 48 or any other section he invoked. This calls into question the **jurisdictional foundation** of the impugned order.
31. **Action of Chairman – Further Illegality:** It also came to light that, *prior* to the Joint Registrar's final order, the Chairman of the Society (who is not a statutory authority under the Act for adjudicating disputes) had issued a direction or took steps to remove the Appellants from the committee. Such an act by the Chairman was wholly **ultra vires**, as a society's Chairman has no adjudicatory power to unseat an elected member on allegations of ineligibility – that power lies exclusively with the statutory authorities under Section 48 or the general body in some cases. The Appellants correctly point out that any direction by the Chairman in this regard was “*without legal basis, contrary to the scheme of the Act, and void ab initio*”. The Joint Registrar ought not to have relied on or given effect to the Chairman's unlawful actions. Yet, by ordering removal, the Joint Registrar essentially **validated an outcome (Appellants' ouster) that the Chairman had illegitimately initiated**. This again indicates a failure to exercise independent judgment within the bounds of law.
32. **Orders without Jurisdiction are Nullities:** It is a fundamental principle, reiterated in *Kiran Singh & Ors. v. Chaman Paswan & Ors.*, AIR 1954 SC 340, that “*a defect of jurisdiction... strikes at the very authority of the court (or tribunal) to pass any decree or order, and such a defect cannot be cured even by consent of parties*”. Any order passed without jurisdiction is a complete nullity in the eye of law. In the present context, the Joint Registrar's assumption of jurisdiction (despite the time-bar) and the granting of relief beyond his lawful powers (removal of elected members without statutory backing) together render the impugned orders **destined for nullification** upon thorough appellate scrutiny. At the very least, these jurisdictional errors make

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out a *strong prima facie case* in the Appellants' favour.

33. **Irreparable Harm and Balance of Convenience:** The effect of the Joint Registrar's orders was to oust the Appellants from their democratically elected offices and potentially tarnish their record (as being "disqualified"). If these orders were to remain operative during the pendency of the appeal, the elected positions of Secretary and Joint Secretary would either remain vacant or be filled by others, altering the governance of the society and possibly leading to irreversible changes (including third-party decisions). On the other hand, if a stay is granted, the status quo ante (the Appellants continuing in office) would be restored temporarily. The Court notes that the society's term of the managing committee is limited (as per Section 14 of the Act, 1935, the tenure is generally five years). Allowing an arguably flawed order to stand even for a few months could effectively deprive the Appellants of the fruits of their election entirely. Thus, the **balance of convenience lies in favour of staying the impugned orders** during the pendency of the appeals. This would preserve the positions as they existed prior to the Joint Registrar's intervention, without unduly harming the Respondents – because if the Respondent No.1's challenge ultimately succeeds, appropriate corrective measures can still be undertaken. In contrast, if no stay is granted and the appeal later succeeds, the Appellants would have been needlessly kept out of office, a loss that cannot be fully compensated post facto.
34. **Chairman Merely Implementing Registrar's Order:** While Respondent No. 2 argues that the Chairman merely implemented the Joint Registrar's directive by issuing Office Orders 117 and 118, this ignores the fact that the foundational order itself was without jurisdiction. A removal based on an ultra vires order cannot be legitimized through administrative compliance. Moreover, under the statutory scheme, the Chairman of a society has no adjudicatory role in declaring elected members disqualified. His action, even if compliant with the Registrar's directive, was not backed by legal authority and hence lacks legitimacy.
35. **Public Interest Overriding Procedural Defects:** The argument that perceived illegality should override procedural limitations must be rejected. The rule of law requires that even corrective action be taken through valid legal channels. Election laws impose strict limitations to preserve finality and democratic certainty. To ignore jurisdiction, limitation, or evidentiary safeguards under the guise of equity would open the floodgates to arbitrary and retrospective disqualifications, and undermine procedural fairness.
36. **Unauthorized Affidavit by Respondent No. 2:** The supplementary submission filed by the petitioners rightly points out that Respondent No. 2 has submitted a counter affidavit without producing any board resolution or authorization from the Managing Committee. Under cooperative law, legal representation of a society must be authorized by its governing body. In absence of such authorization, the affidavit can at best be considered a personal submission and cannot be treated as the official stand of the Services Housing Cooperative Society.

Findings and Interim Order

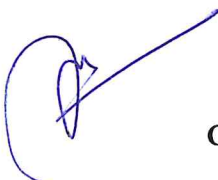
37. **Summary of Findings:** To summarize the discussion above, this Court (Registrar, Cooperative Societies, Jharkhand, in appellate jurisdiction) finds at the threshold stage that the Appellants have demonstrated strong arguable grounds on facts and law:
- The proceeding before the Joint Registrar was prima facie **not maintainable due to limitation** as per Rule 21-X, and the manner in which it was entertained as a miscellaneous case was **erroneous in law**.
 - The Joint Registrar's orders suffer from **procedural illegalities**, including failure to follow the proper procedure for dealing with an unstamped/unregistered document and failure to consider relevant evidence of membership, thereby possibly reaching a wrong conclusion on the Appellants' eligibility.
 - There was a **denial of natural justice** inasmuch as the Appellants were not given a full and fair opportunity to contest the claims against them, which casts serious doubt on the reliability of the findings.
 - The Joint Registrar **exceeded his jurisdiction** by ordering the removal of the Appellants from their elected posts – a relief not clearly sanctioned by the cooperative societies law for an

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authority at his level, especially in the absence of a proper election petition within time. An order passed without jurisdiction or beyond authority is liable to be declared null and void.

- The cumulative effect of these flaws is that the impugned orders dated 26.03.2025 and 09.05.2025 are, on the face of it, **unsustainable** and have caused or will cause **irreparable injury** to the Appellants and the democratic functioning of the society if not stayed.
38. **Admission of Appeals:** Accordingly, Misc. Appeal No. 05/2025 and Misc. Appeal No. 11/2025 are **admitted** for hearing. In view of the interconnected subject matter, both appeals shall be heard **jointly**. The records of the original Misc. Case No. 16/2024 (from the file of Joint Registrar, Cooperative Societies, Ranchi) be requisitioned forthwith to aid final determination.
 39. **Interim Stay Order:** Pending final disposal of these appeals, it is hereby ordered that the operation of the Joint Registrar's order dated 26.03.2025 (in Misc. Case 16/2024) and the final order dated 09.05.2025 are **stayed**. Consequently, any actions taken in pursuance of the impugned orders – including the Office Order Memo Nos. 117 and 118 dated 11.05.2025 issued by Respondent No.2 removing the Appellants from their posts – shall remain in abeyance. The Appellants shall be restored to their positions as Secretary and Joint Secretary of the managing committee of the Services Housing Cooperative Society, Ashok Nagar, Ranchi, and allowed to function as such, until further orders. It is, however, clarified that this is an interim arrangement and shall not be treated as a final expression on merits. The Appellants are directed **not to take any irreversible financial or policy decisions** in the society during the pendency of the appeal that could prejudice the Respondents, and to act strictly in the ordinary course of business.
 40. **Further Directions for Expeditious Hearing:** Given the nature of the dispute, it is desirable that the appeals be decided at the earliest to ensure the smooth functioning of the cooperative society. The Respondent No.1 (original petitioner) is directed to file his counter-affidavit/reply in both appeals within **2 (two) weeks** from today, dealing with the grounds raised by the Appellants. The Appellants may file a rejoinder, if any, within 1 week thereafter. Both sides shall also be at liberty to file a compilation of documents and citations they seek to rely upon at final hearing. Thereafter, the appeals shall be listed for final hearing on **a date in four weeks' time** on 19-06-2025. No unwarranted adjournment shall be sought or granted. The interim stay shall continue until the disposal of the appeals, subject to the Appellants' cooperation in expeditious disposal.
 41. **Conclusion:** The Registrar, being satisfied that a prima facie case is made out by the Appellants and that the balance of convenience lies in favour of interim protection, grants the stay and consolidation of appeals as above. Both parties are put on notice that the findings herein are tentative, solely for the purpose of deciding admission and interim relief. The final decision will be made after examining the entire evidence and record afresh. The goal is to ensure that the ultimate outcome upholds the letter and spirit of the cooperative law – including its mandates on timely dispute resolution, fairness, and respect for democratic processes within cooperative societies.
 42. In the result, both Misc. Appeal No. 05/2025 and Misc. Appeal No. 11/2025 are **admitted**. The impugned orders of the Joint Registrar dated 26.03.2025 and 09.05.2025 are **stayed** and actions taken in pursuance of the impugned orders – including the Office Order Memo Nos. 117 and 118 dated 11.05.2025 issued by Respondent No.2 removing the Appellants from their posts – shall remain in abeyance till disposal of the appeals. Both appeals will be heard together. Let a copy of this order be communicated to Assistant Registrar, Ranchi, Joint Registrar, Ranchi Division and the Managing Committee of the society for immediate compliance and to maintain status quo ante in terms of management.
 43. **List for further hearing on 19.06.2025**, or as soon thereafter as practicable. The parties shall ensure pleadings are complete by that date. Interim relief will continue as directed above.
 44. **Ordered accordingly.**
Date- 22nd may, 2025

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Sd/-
Registrar,
Co-operative Societies, Jharkhand, Ranchi.

Memo No. (Misc. Appeal Case No. 05/ 2025 & 11/2025).1065/Ranchi.

Date .22./05/2025

Copy forwarded to- Petitioner- 1, Anil Shankar, S/O.- Late Chandi Shankar Prasad, resident of plot no. 42/c, Ashok Nagar,, P.O.- Doranda, P.S.- Argora, Dist.- Ranchi. (Jharkhand) 2, 2, Shankar Prasad Verma, S/O.- Late J.P.Verma, resident of plot no. 189/c, Park Road no.- 4, Ashok Nagar, P.O.- Doranda, P.S.- Argora, Dist.- Ranchi. (Jharkhand)for information & necessary action.

Respondents-- 1. Soumistha Banerjee, aged about 63 years, S/O.- Late Nihar Bindu Banerjee, resident of Plot No. 271/c, Road no. 1/A, Ashok Nagar, P/O.- Doranda, P/S.- Argora, Dist.- Ranchi for information and necessary action.

2, The Chairman of the Services Housing Cooperative Society Ltd., AshokNagar having its office at Ashok Nagar, P/O.- Doranda, P/S.- Argora, Dist.- Ranchi Jharkhand .

3, Joint Registrar, Cooperative Societies, South Chhotangpur Division, Ranchi, Dist.- Ranchifor information and necessary action.


22/5/25

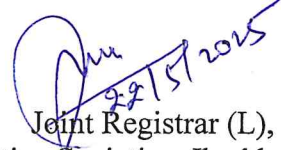
Joint Registrar (L),

Co-operative Societies, Jharkhand, Ranchi.

Memo No. (Misc. Appeal Case No. 05/ 2025 & 11/2025).065/Ranchi.

Date22./05/2025

Copy forwarded to- Joint Registrar, Cooperative Societies, South Chhotanagpur Division, Ranchi/Joint Registrar, Cooperative Societies, North Chhotanagpur Division, Hazaribagh/ Joint Registrar, Cooperative Societies, Santhal Pargana Division, Dumka (Jharkhand) for information.


22/5/2025

Joint Registrar (L),

Co-operative Societies, Jharkhand, Ranchi.