

Court No. - 10

Case :- WRIT - C No. - 38207 of 2023

Petitioner :- Arunendra Bahadur Singh And 7 Others

Respondent :- Assistant Registrar And 2 Others

Counsel for Petitioner :- Deepak Kumar Jaiswal

Counsel for Respondent :- C.S.C.

Hon'ble Kshitij Shailendra,J.

1. A mention was made Yesterday, i.e. on 02.11.2023 as well as today, i.e. 03.11.023 to take up this matter out of turn on the ground that it is quite urgent as under the order impugned, elections have been directed to be held on 05.11.2023. Therefore, the Court summoned the record of the writ petition on the request of learned counsel for the petitioners, from the Registry.

2. I have heard Shri Deepak Kumar Jaiswal, learned counsel for the petitioners and Shri R.P. Tiwari, learned Standing Counsel for State-respondents.

3. The petitioners are residents of Rudra Enclave, Dhanuha, Rewa Road, Prayagraj and are aggrieved by the election programme notified. By an earlier order passed in the year 2022, the Society was declared as time barred.

4. Shri Jaiswal submits that against the said order, review application is pending and, in the meantime, subsequent order impugned dated 29.08.2023 has been passed, by which directions for holding elections have been issued and consequential election programme has been notified.

5. The prayer to quash the order dated 29.08.2023 passed by the Assistant Registrar, Firms, Societies and Chits, Prayagraj and election programme has been made in this writ petition.

6. Learned counsel has raised various disputes stating that there is illegality in finalization of list of members, who are taking part in the election programme.

7. Shri R.P. Tiwari, learned Standing Counsel submits that once election programme has been notified, no writ petition lies.

8. Reserving the rights of the petitioners to challenge the result of election proceedings on whatever grounds that are available to them or even to press the pending review application, the writ petition is **disposed of**.

9. It is made clear that this Court has not restrained holding of elections.

Order Date :- 3.11.2023

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