

GAHC010130522022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4406/2022

MONORANJAN DAS
S/O LATE KARTIK DAS, R/O VILL AND P.O.-BAGHJAN, DIGAHLTARANG,
TINSUKIA, ASSAM, PIN-782410

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
CO-OPERATION DEPARTMENT, ASSAM, ASSAM SECRETARIAT, DISPUR,
GUWAHATI-781006

2:THE REGISTRAR OF CO-OPERATIVE SOCIETIES
ASSAM
KHANAPARA
GUWAHATI-7681022

3:THE ZONAL JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
JORHAT
ASSAM
PIN-785001

4:THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES
TINSUKIA
P.O. AND DIST-TINSUKIA
ASSAM
PIN-786601

5:THE DEPUTY COMMISSIONER
TINSUKIA
P.O. AND DIST-TINSUKIA
ASSAM
PIN-786125

6:DISTRICT DEVELOPMENT OFFICER
OFFICE OF THE DEPUTY COMMISSIONER
TINSUKIA
ASSAM PIN-786125

7:DIBRU-DANGRAI RIVER PART-I MEEN SAMABAI SAMITTEE LIMITED
TINSUKIA
REPRESENTED BY ITS SECRETARY
SHRI BIKASH DAS
S/O SECRETARY OF DIBRU DANGORI RIVER PART-I MEEN SAMABAI
SAMITTEE LTD.
VILL AND P.O.-DIGHALTARANG
TINSUKIA
ASSAM PIN-786601

8:CHIEF EXECUTIVE OFFICER
DIBRU DANGORI RIVER PART-I MEEN SAMABAI SAMITTEE LTD.
VILL AND P.O.-DIGHALTARANG
TINSUKIA
ASSAM PIN-786601

9:NITYALAL DAS
S/O LATE RADHACHARAN DAS
VILL AND P.O.-DIGHALTARANG
DIST-TINSUKIA
ASSAM PIN-78660

Advocate for the Petitioner : MR. B K DAS, MR H P GUWALA,MR. H P NEOG

Advocate for the Respondent : SC, CO OP, MR D J MEDHI (FOR CAVEATOR),GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

24.09.2024

Heard Mr. B. K. Das, learned counsel for the petitioner. Also heard the learned counsel representing the respondent Nos. 7 and 8.

Being aggrieved by an order dated 22.06.2022 issued by the Registrar of

Cooperative Societies, Assam, the instant writ petition has been filed by the petitioner, challenging the election and AGM of the Cooperative Society namely Dibru Dangari River Part-I Meen Samabai Samity Limited.

During the pendency of this writ petition, the Board of Director of the said Samabai Samity Limited so elected stood dissolved on and from 30.09.2023 by operation of Section 39 of the Assam Cooperative Societies Act, 2007. Therefore, in the considered opinion of this Court, the present writ petition has become infructuous.

It is also recorded that the dispute as regards management and constitution of the Board was also an issue in WP(C)/6243/2023 which was also closed being infructuous by this Court under its order dated 30.04.2024 on the ground that the Board stood dissolve from 30.09.2023 by operation of Section 39 of the Act, 2007. It was further observed in the aforesaid order that it would not be open to the Registrar of Cooperative Societies, Assam and or its other authorities like Assistant Registrar of Cooperative Societies, Tinsukia, to pass such appropriate order or orders as it may deem fit and proper to ensure proper management of affairs of Dibru Dangari River Part-I Meen Samabai Samity Limited till a fresh Board of Director of the Society is constituted in accordance with law.

In view of the aforesaid determination and the facts recorded, nothing survives to be adjudicated in the present writ petition inasmuch as this Court has already directed the authorities to perform their duties as per law i.e. in terms of the Act, 2007.

Accordingly, this writ petition stands closed.

JUDGE

Comparing Assistant