

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 1233 of 2015**

- Mahesh Chandrawanshi S/o Late Shri Thakit Ram Chandrawanshi Aged About 41 Years Resident Of Village Lohjhari, Post Sarangpurkala, Block Bordla, District Kabirdham (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Cooperative Mahanadi Bhawan, Mantralaya, Naya Raipur , District Raipur (Chhattisgarh)
2. Registrar, Cooperative Societies, Indrawati Bhawan, Naya Raipur, District Raipur, chhattisgarh.
3. Thakur Raghuraj Singh, Chairman, Bhoramdev Cooperative Shakkar Utpadak Karkhana Maryadit, Shakkar Nagar, Kawardha, Dist. Kabirdham (Chhattisgarh)
4. Bhoramdev Cooperative Shakkar Utpadak Karkhana Maryadit, Shakkar Nagar, Kawardha, Dist. Kabirdham (Chhattisgarh) Through The Managing Director
5. Chhattisgarh State Cooperative Election Commission Near Collectorate Chowk, Raipur, Chhattisgarh Through The Election Commissioner,

**---- Respondents**

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| For Petitioner       | Shri Amrito Das, Advocate   |
| For Respondent/State | Shri Arun Sao, Dy. AG       |
| For Respondent No.3  | Shri Varun Sharma, Advocate |
| For Respondent No.4  | Shri R. K. Gupta, Advocate  |

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**Hon'ble Shri Justice Prashant Kumar Mishra**

**Order On Board By**

**18/11/2015**

1. The petitioner is a member of Bhoramdev Cooperative Shakkar Utpadak Karkhana Maryadit, the respondent No.4, which is a cooperative society registered under the Chhattisgarh Cooperative Societies Act, 1960 (for short 'the Act, 1960'). The petitioner is seeking

a direction to the respondent authorities to conduct the elections to the Board of Directors of the respondent No.4 society on the plea that the elections have not taken place for last about more than 14 years.

2. It is the stand of the respondents that the respondent No.5 has already appointed the Registration Officer vide order dated 06.08.2015 for preparation of electoral roll for conducting elections of the respondent No.4 society. However, it is contended by the learned counsel for the petitioner that despite lapse of more than 3 months, no steps have been taken for preparation of electoral roll.
3. It appears, the dispute lies in narrow compass and the writ petition can appropriately be disposed of by directing the Registration Officer appointed by the respondent No.5, Commission to prepare the electoral roll and thereafter the Commission shall conduct the election.
4. Accordingly, the respondent No.5, Commission is directed to instruct the Registration Officer to complete the preparation of electoral rolls within a period of 2 months and thereafter the Commission shall conduct the election within next 4 months.
5. In the meanwhile, the interim order passed on 21.09.2015 shall continue, however, it will remain open for the Registrar, Cooperative Societies to exercise powers under Section 53 (14) of the Act, 1960, in the event, it is considered necessary for proper functioning of the society.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA