

CWP No.22677 of 2015

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.22677 of 2015
Date of decision: 16.11.2015

Parvinder Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?
- 2) To be referred to the Reporters or not ?
- 3) Whether the judgment should be reported in the Digest ?

Present: - Mr. D.V. Sharma, Sr. Advocate, with
Ms. Shivani Sharma, Advocate, for the petitioner.
Mr. Suresh Singla, Addl. A.G., Punjab.
Mr. A.S. Manaise, Advocate, for respondent No.3.

PARAMJEET SINGH, J. (ORAL)

In compliance of order dated 05.11.2015, written statement by way of affidavit of Sh. Arunjit Singh Miglani, I.A.S., Registrar, Cooperative Societies, Punjab, on behalf of respondents No.1 and 2, filed in Court today, is taken on record.

Instant writ petition has been filed for issuance of a direction to respondent No.2 – Registrar, Cooperative Societies, Punjab, to approve the election programme for holding elections to the Board of Directors of Punjab State Cooperative of Labour & Construction Ltd. (for short 'LABOURFED') since the term of the office of Board of

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Directors of the LABOURFED will be expiring on 18.11.2015.

Learned counsel for the petitioner submits that zones were approved vide letter dated 29.06.2015 (Annexure P-1). In spite of approval of the zones election programme for election of Board of Directors of the LABOURFED has not been approved. Resolution to that effect has been passed on 26.08.2015 (Annexure P-2).

Registrar, Cooperative Societies, Punjab, has filed affidavit stating that due to prevailing law and order situation in the State election cannot be held.

Plea of the State is not acceptable. Since the term of the Board of Directors of the LABOURFED is going to expire on 18.11.2015, it is necessary that election should be held. No explanation has been furnished as to why there is delay in approval of election programme although same was sent for approval in the month of August, 2015. At that point of time there was no law and order problem in the State of Punjab. Since the matter relates to labour unions, it cannot be presumed that due to law and order problem election programme cannot be approved by the competent authority. I am not satisfied with the reply and explanation furnished in para 9 of the written statement. Merely on the ground of law and order problem work of the entire State cannot be stopped.

It has been informed by learned counsel for the petitioner as well as respondent No.3 that fresh election programme has also been sent vide letter dated 06.11.2015 to the Registrar, Cooperative Societies,

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Punjab. Copy of letter dated 06.11.2015 is taken on record.

Present petition is disposed of with a direction to the Registrar, Cooperative Societies, Punjab to approve the election programme in accordance with law within 15 days from the date of receipt of certified copy of this order and photocopy of letter dated 06.11.2015. If the order is not complied with, petitioner will be at liberty to move application in this writ petition for further appropriate orders.

November 16, 2015
R.S.

(Paramjeet Singh)
Judge