

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

LPA-312-2015 (O&M)

Date of decision:- 26.02.2015

Ajay Kumar Ahlawat

...Appellant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sanjiv Bansal, Advocate,
for the appellant.

Mr. Surender Singh Dalal, Advocate,
for the caveator-respondent No. 6-Anil Kumar.

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S.J. VAZIFDAR, A.C.J. (ORAL)

Notice of motion.

Mr. Surender Singh Dalal, learned counsel accepts notice on behalf
of the caveator-respondent No. 6, namely, Anil Kumar.

Caveat discharged.

2. In addition to the issue as to jurisdiction of the officer who passed the impugned order, the appellant has other contentions as well against the same. The appellant agrees to avail of the alternate remedy either under Section 114 or 115 of the Haryana Cooperative Societies Act, 1984 (in short the Act). The learned counsel appearing on behalf of the respondent No. 6 states that the appellant's remedy is under Section 114 of the Act.

3. We do not express any opinion in that regard. The appeal or revision that may be filed shall be disposed of by the concerned authority as expeditiously as possible keeping in mind that this is a matter relating to elections. Further, the learned Single Judge by the impugned order held that the election, if any, held in the meanwhile shall be subject to the decision of

the writ petition i.e. CWP-23869-2014. It is ordered that the elections, if any, held in the meanwhile shall be subject to the decision in the appeal or the revision as the case may be. It will also be open to the appellant to file an application for interim reliefs in the proceedings that he may adopt. The authorities concern shall not adjourn the application unnecessarily.

4. The appeal is accordingly disposed of.

5. The writ petition also accordingly stands disposed of.

6. The learned counsel appearing on behalf of the respondent No. 6 makes a submission that there is a power with the authorities to extend the period of time and limitation.

7. We express no opinion regarding the same. However, in the event of the alternate remedy not being entertained on merits including on the ground of limitation, the writ petition shall revive without further orders.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(AUGUSTINE GEORGE MASIH)
JUDGE

26.02.2015

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