

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1552 of 2016

Durg Bhilai Credit Cooperative Society Limited Through its President Vijay Soni, S/o B.P. Soni, Aged About 58 Years, , Aditya Nagar Durg Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Cooperative Societies, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur Chhattisgarh
2. Registrar, Cooperative Societies, Chhattisgarh, Raipur Chhattisgarh
3. Deputy Registrar, Cooperative Societies, Durg Chhattisgarh
4. State Cooperative Election Commission, Chhattisgarh, Raipur, Through Its Secretary, State Cooperative Election Commission, Chhattisgarh, Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri B.D. Guru, Advocate
For State	:	Shri R.K. Gupta, Dy.A.G.

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/06/2016

Heard on admission.

1. The grievance of the petitioner, which is a Cooperative Society, is that despite repeated representations made before respondents No. 2, 3 & 4, elections have not been held for constitution of Board of Directors of the Cooperative Society.
2. Learned counsel for the petitioner draws attention of this Court to clause- 34 of the Registered Bylaws, to submit that the interim committee constituted at the time of registration has already completed its tenure and now elections

are required to be held.

3. Learned counsel for the State submits that the petitioner may be directed to approach the Registrar, Co-operative Society and the Registrar may be issued appropriate direction in the matter.
4. Prima facie, the Bylaws of the Society clearly shows that the tenure of the interim committee constituted at the time of registration of Society is only 3 months. Therefore, election ought to be held to constitute Board of Directors of the Society.
5. In that view of the matter, this petition is finally disposed off with a direction to the petitioner to make representation to respondent No.2/Registrar, Cooperative Societies within a period of 15 days from today. Upon receipt of the representation, the Registrar/respondent No.2 shall examine the case of the petitioner and make necessary recommendation, within a period of 30 days, to respondent No.4 to hold elections in accordance with the Bylaws of the Society at the earliest.

Sd/-
(Manindra Mohan Shrivastava)
Judge