

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

**Civil Writ Petition No. 19256 of 2016
Date of Decision: 16.9.2016**

Anoop Singh and others

.....Petitioners

Vs.

Registrar, Co-operative Societies (Punjab) and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Raman Goklaney, Advocate
for the petitioners.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioners have approached this Court, by way of instant writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of Certiorari/Mandamus.

Learned counsel for the petitioners, at the very outset, fairly states that he does not intend to press this petition qua the writ of Certiorari. He submits that statutory appeal of the petitioners is pending before Deputy Registrar, Cooperative Societies, Ferozepur-respondent No.2, alongwith stay application. He further submits that case was listed on 7.9.2016 but no order was passed on that day and now next date of hearing is 20.9.2016. He further submits that if no interim order is granted, statutory appeal of the petitioners would be rendered infructuous, because the respondents are bent

upon to conduct elections on 17.9.2016, as per the Schedule (Annexure P-8). Learned counsel for the petitioners also submits that he has got no objection in case respondent No.2 may hear only stay matter on or before 17.9.2016, so as to ensure that statutory appeal of the petitioners may not be rendered infructuous.

Having heard the learned counsel for the petitioners and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, present writ petition is disposed of with a direction to the Deputy Registrar, Cooperative Societies, Ferozepur-respondent No.2 to hear the stay application of the petitioners without any further loss of time, by passing an appropriate order thereon, strictly in accordance with law. However, it is made clear that till the stay matter is heard and decided by the Deputy Registrar, Cooperative Societies, Ferozepur-respondent No.2, further proceedings pursuant to resolution dated 30.8.2016 (Annexure P-8) shall remain stayed. This direction is being issued because of the peculiar fact situation of the present case and also to ensure that statutory appeal of the petitioners is not rendered infructuous.

With the abovesaid observations made and directions issued, present petition stands disposed of.

16.9.2016
AK Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No