

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No.1731 of 2017

Ramesh Kumar, S/o Birjhu Kewat, aged about 48 years, R/o village Gadsivani, Police Station Tumgaon, District Mahasamund (CG).

---- Petitioner

Versus

1. State of Chhattisgarh, Co-operative Societies Department, through Secretary, Office at Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (CG).
2. Chhattisgarh State Cooperative Election Commission, through the Commissioner, Office at Ghadi Chowk, Raipur, District Raipur (CG).
3. Returning Officer, Office at Primary Agriculture Credit Co-operative Society Achola, District Mahasamund, Registration No.1018.

--- Respondents

For Petitioner : Mr. Praveen Kumar Dhurandhar, Advocate
For State : Mr. Arun Sao, Deputy Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

04/07/2017

(1) Heard.

(2) By way of this writ petition, the petitioner is challenging the election of the delegates of Primary Agriculture Credit Co-operative Society-Achola/Gramin Seva Co-operative Society, Achola in primary category society Achola. That has been done on 18.06.2017 and sought for conducting election afresh.

(3) Learned counsel appearing for the State would submit that remedy of raising dispute challenging the election is available to the

petitioner under Section 64(2)(v) of the Chhattisgarh Co-operative Societies, 1960.

(4) I have learned counsel for the parties.

(5) Learned counsel appearing for the petitioner would submit that correct practice has to be adopted in the election.

(6) Be that as it may, since the remedy of raising dispute challenging the election is available to the petitioner under Section 64(2)(v) of the Chhattisgarh Co-operative Societies Act, 1960, therefore, I am not inclined to entertain this writ petition and, therefore, the same is liable to be dismissed.

(7) Accordingly, the writ petition fails and is hereby dismissed. However, the petitioner is at liberty to avail the remedy under the Chhattisgarh Co-operative Societies Act, 1960.

SD/-

(Sanjay K. Agrawal)
Judge

L/-