

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CIVIL REVISION PETITION No.2462 of 2017

ORDER : (Oral)

Vide the present petition, petitioner has challenged the order dated 27th April 2017, passed in I.A.No.1790 of 2016 in I.A.No.1520 of 2016 in S.O.P.No.1069 of 2016, whereby the I-Additional District Judge, Guntur, held as under :

"I hold that said resolution is binding on the members of the society and in view of differing only in respect of dates. As such, in the interest of society, which is said to be a reputed society running various educational institutions under the education society and for the sake of vested interest some of the members of the society, reputation of the society cannot be put to stake and besides that the very administration of the society cannot be subjected to hamper and it is also submitted that from the next month, the admission process of various colleges is being held and if elections process is kept under abeyance for further period, it may adversely effect the administration of the society and also in turn also effect the educational institutions. Hence, I hold that via-media a date can be fixed by this court for conducting the meeting at the instance of both parties where both parties have earlier accepted the proposal of this court, so also, I hold in the interest of the society as both the parties are differing only in respect of fixing date for conducting governing body elections. As such, I hold for conducting and to go for electing of office bearers as agreed and resolved in the general body meeting held on 23-4-2017 and earlier on 09-11-2016. The President and Secretary is directed to convene the governing body election on

04-06-2017 by giving notice to all the members as per by-law and the President shall convene meeting on the said date as per the by-law of the society and further they shall proceed basing on the resolution in the governing body for further elections of the office bearers on 18-06-2017 as per the by-law and the case stands posted to 20-06-2017.”

2. After hearing arguments from both the parties, it is mutually decided that on 17.07.2017, a notice shall be issued to convene the meeting of the Governing Body, which shall conduct Election for the post of President on 18th August 2017. I hereby made clear that the President and Secretary both shall sign the notice to be issued for the meeting to be held on 18th August 2017. The time granted by the trial Court for the said purpose, stands extended upto 18th August 2017, as recorded above.

3. It is further agreed that if the President or his kith and kin are contesting the Election, the Governing Body shall elect a person to preside over the meeting to be convened to elect the President.

4. In view of the above, the revision petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

SURESH KUMAR KAIT, J

14th July 2017

ajr