

HIGH COURT OF CHHATTISGARH, BILASPUR**Order reserved on : 04.12.2017****Order delivered on : 02.01.2018****Writ Petition (C) No.2804 of 2017**

Jitendra Dhurandhar S/o Shri Ramlal Dhurandhar, Aged about 47 years, President of Jila Sahkari Sangh Maryadit, Sahkari Sadan, Choubey Colony, Raipur (CG)

----Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Department of Cooperatives, Block-3, Second & Third Floor, Mantralaya, Indravati Bhawan New Raipur, District Raipur (CG)
2. Registrar, C.G. Co-operative Societies, Indrawati Bhawan, Naya Raipur (CG)

---- Respondents

For Petitioner	:	Mr.V.R.Tiwari, Advocate
For Respondents	:	Mr.Arun Sao, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal**C.A.V.Order**

1. The petitioner herein-President of Raipur District Cooperative Sangh Maryadit has filed this writ petition under Article 226 of the Constitution of India calling in question the order dated 22.8.2017 (Annexure P/3) passed by respondent No.2/Registrar, Cooperative Societies, Raipur directing Joint Registrar, Deputy Registrar and Assistant Registrar, Cooperative Societies to reorganize District Cooperative Sangh Maryadit, Raipur, Durg, Bilaspur, Ambikapur and Jagdalpur.
2. Return has been filed by the respondents/State stating inter-alia

that Raipur District Cooperative Sangh Maryadit has already been re-organised. The petitioner has not challenged the original order and District Cooperative Sangh Maryadit, Dhamtari, Gariyaband and Balodabazar-Bhatapara have already been constituted and reorganized. Therefore, the present writ petition has become infructuous and deserves to be dismissed.

3. Mr.V.R.Tiwari, learned counsel for the petitioner, would submit that reorganization of Raipur District Cooperative Sangh Maryadit is unsustainable and bad in law.
4. On the other hand, Mr.Arun Sao, learned Deputy Advocate General for the respondents/State, would support the impugned order.
5. I have heard learned counsel appearing for the parties, considered their rival submissions made hereinabove and also gone through the records with utmost circumspection.
6. A careful perusal of the record would show that order of reorganization of Raipur District Cooperative Sangh Maryadit was passed as back as on 16.2.2016 finding that in the State of Chhattisgarh at present out of 27 revenue districts, District Cooperative Sangh Maryadit is working in only 9 revenue districts and on account of which, the work of printing of ballot papers and other works assigned to the District Cooperative Sangh is adversely affected and thereby it has been directed to

constitute the District Cooperative Sangh Maryadit in all 27 districts within 3 months. The petitioner has not challenged original order dated 16.2.2016 and only challenged the order dated 22.8.2017. In fact, it is reminder of earlier order of reorganization. It has brought on record that pursuant to the order dated 16.2.2016, District Cooperative Sangh Maryadit, Dhamtari has been constituted and registered on 5.10.2017. Likewise, District Cooperative Sangh Maryadit, Balodabazar-Bhaapara has been constituted and registered on 16.11.2017, District Cooperative Sangh Maryadit, Gariayband has been constituted and registered on 16.11.2017. However, constitution of District Cooperative Sangh Maryadit, Mahasamund is pending consideration before this Court. The petitioner has not challenged the constitution of aforesaid three District Cooperative Sangh Maryadit. Apart from this, General Body of the Society and Board of Directors of Raipur District Cooperative Sangh Maryadit have consented for reorganization of District Cooperative Sangh Maryadit, Raipur on 20.7.2017 in which the petitioner was also present and have supplied necessary information and details of proceedings, which have not been controverted by the petitioner.

7. Thus, from the aforesaid fact, it is clear that the Board of Directors of Raipur District Cooperative Sangh Maryadit have consented for reorganization and three District Cooperative

Sangh Maryadit of three districts i.e. Dhamtari, Balodabazar-Bhatapara and Gariyaband have already been constituted and registered, which have not been challenged by the petitioner in this writ petition. Initial order of reorganization was passed on 16.2.2016, which has also not been challenged and merely because Raipur District Cooperative Sangh Maryadit has been reduced to smaller body, that cannot be the ground to hold that reorganization is unsustainable and bad in law particularly when Raipur District Cooperative Sangh Maryadit is still in existence and the petitioner is working as President of that Sangh.

8. In view of the aforesaid factual position, the petitioner is not entitled for any relief as prayed for. The writ petition deserves to be and is hereby dismissed leaving the parties to bear their own cost(s).

Sd/-
(Sanjay K.Agrawal)
Judge