

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

**Civil Writ Petition No. 24207 of 2018 (O&M)
Date of Decision: 25.09.2018**

The Kapurthala Central Cooperative Bank Employees Union,
District Kapurthala through its President

..... Petitioner

Versus

State Election Commission, Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Iqbal Singh Saggu, Advocate
for the petitioner.

JASWANT SINGH, J. (ORAL)

The registered Union of the employees of the Kapurthala Central Cooperative Bank Employees has approached this Court against the act of the respondents for deputing their employees on election duty by the Sub Divisional Magistrate-cum-Returning Officer, Block Samiti, Kapurthala, vide impugned letter dated 17.09.2018 (**Annexure P-1**).

It is contended that inspite of clear understanding that in view of the provisions of Section 129 of The Punjab State Election Commission Act, 1994, the employees of the Cooperative Banks cannot be deputed for election duty, yet the Sub Divisional Magistrate-cum-Returning Officer, Block Samiti, Kapurthala is summoning the employees of the Cooperative Banks in violation of the provisions.

After hearing counsel for the petitioner and perusing the paper-book, this Court finds that today, a writ petition bearing **CWP No.**

23362 of 2018, titled as “***The Cooperative Bank Employees Federation,***

State of Punjab, Bathinda Versus State Election Commission, Punjab,

involving identical issue(s), has been rendered as infructuous, as the Secretary, State Election Commission, Punjab, Chandigarh, vide its letter/circular even number dated 21.09.2018, has issued instructions to all the Deputy Commissioner-cum-District Electoral Officers in the State of Punjab, wherein in para-5, it is directed that the employees of Cooperative Banks/Societies should not be put on election duty, the same reads as under:-

5. “ In pursuance of provisions of Section 129 of the Punjab State Election Commission Act, 1994 and the orders of the Hon'ble High Court, it is directed that the employees of Cooperative Banks/Societies should not be put on election duty”.

On asking of the Court, learned State Counsel, Mrs. Anu Chatrath Kapur, Additional Advocate General, Punjab, who appeared in aforesaid writ petition bearing *CWP No. 23362 of 2018*, has also verified the aforesaid factual position.

In view of above, counsel for the petitioner concedes that nothing more survives for adjudication in the present writ petition and the same has become infructuous.

'Disposed of as Infructuous'.

September 25, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>