

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3847 of 2019**

1. Dinesh Chandrakar S/o Bhagwandhan aged about 50 Years R/o Village Vodachhapar, Post Chhatti, Tahsil and District Dhamtari, Chhattisgarh Representative Jila Sahakari Kendriya Bank, Maryadit Raipur, Prathmik Krishi Sakh Sahkari Samiti Maryadit Donar, District Dhamtari Chhattisgarh.
2. Ramkumar Yadav S/o Narayan aged about 49 Years R/o Village Sarangpuri, Post Kharenga Tahsil and District Dhamtari Chhattisgarh. Representative Jila Sahakari Kendriya Bank, Maryadit Raipur, Prathmik Krishi Sakh Sahkari Samiti Maryadit Kharenga, District Dhamtari Chhattisgarh.
3. Ashok Kumar S/o Sudhram Sahu, aged about 43 years R/o Shankardah, Post, Tahsil and District Dhamtari C.G. Representative Jila Sahkari Kendriya Ban, Maryadit Raipur, Prathmik Krishi Sakh Sahkari Samiti Maryadit, Shankardah, District Dhamtari, C.G.
4. Dujram S/o Salik Aged About 48 Years R/o Village and Post Bhatgaon, Tahsil and District Dhamtari Chhattisgarh. Representative Jila Sahkari Kendriya Bank, Maryadit Raipur, Prathmik Krishi Sakh Sahkari Samiti Maryadit Soram, District Dhamtari Chhattisgarh.
5. Jeevrakhan S/o Sunher Dewangan, R/o Village and Post Achhota, Tahsil And District Dhamtari Chhattisgarh, Representative Jila Sahkari Kendriya Bank, Maryadit Raipur, Prathmik Krishi Sakh Sahkari Samiti Maryadit Achhota
6. Rajendra Dewangan S/o Suraj, R/o Village and Post Chhatti, Tahsil and District Dhamtari Chhattisgarh. Representative Jila Sahkari Kendriya Bank, Maryadit Raipur, Prathmik Krishi Sakh Sahkari Samiti Maryadit, District Dhamtari Chhattisgarh.

-----Petitioners**VERSUS**

1. State of Chhattisgarh, through the Secretary, Cooperative Department, Mahanadi Bhavan, Mantralaya Atal Nagar, Naya Raipur C.G.
2. State Cooperative Election Commission, Ground Floor, Sales Tax Department Civil Lines, Raipur, through its Commissioner.

-----Respondents

For Appellant	:	Mr. H.B. Agrawal, Sr. Advocate with Mr. Amit Turkey, Advocate
For Respondent No.2	:	Mr. Rajeev Shrivastava, Advocate
For Respondent-State	:	Mr. Chandresh Shrivastava, Deputy Advocate General

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Judgment on Board****Per P.R. Ramachandra Menon, C.J.****11/02/2020**

1. The petitioners have moved this Court with the following prayers:

“a. That, the Hon'ble Court may kindly be pleased to allow the petition by holding Annexure P/6 and P/7

being against law and not power vested in respondents therefore be quashed and election process be continued which has been stayed in the garb of punargathan yojana Annexure P/1, para 8.2 of it holding it to be illegal and bad in law.

b. Cost of the petition be awarded and

c. Any other relief or direction which the Hon'ble Court may deem fit, be also awarded."

2. When the matter came up for consideration on an earlier occasion, the grievance projected by the petitioners was noted to the effect that the respondent-Election Commission had quite arbitrarily issued Annexure P-7 dated 05-08-2019, virtually postponing the election to be held in Co-operative Societies. It was also brought to the notice of this Court that it was issued in a circumstance when the Government had issued some circulars/ notifications with regard to the steps taken in terms of Section 16(C) of the Chhattisgarh State Co-operative Societies Act, 1960; which proceeding was subjected to challenge in a bunch of cases i.e. WPC No. 3031/2019 and connected cases. The above matters were finalized by this Court as per common judgment dated 22-11-2019, whereby the proceedings pursued by the State came to be interdicted by giving appropriate directions.
3. In the said circumstance, instructions were called for as to why the Commission had not taken further action to conduct the election.
4. Today, when the matter is taken up for consideration, Mr. Rajeev Shrivastava, learned standing counsel for the Election Commission submits that the impugned proceeding/ order has already been cancelled/ withdrawn as per the order dated 20-01-2020. It is also submitted by the learned counsel that further steps are being pursued on war footing to cause the election to be conducted.
5. In view of the above turn of events, nothing survives to be considered or adjudicated. The writ petition stands closed, recording the submissions as above.

Sd/-
(P.R. Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge