IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF DECEMBER, 2020

BEFORE

THE HON'BLE MR.JUSTICE P.S. DINESH KUMAR

WRIT PETITION No.712 OF 2020 (CS-EL/M)

BETWEEN :

SUVARANA CO-OPERATIVE BANK LTD
(A BANKING SOCIETY REGISTERED UNDER
THE CO-OPERATIVE SOCIETIES ACT 1959)
NO 62 SANJEEVAPPA LANE,
AVENUE ROAD CROSS
BENGALURU - 560002
REPRESENTED BY ITS SECRETARY
CHIEF EXECUTIVE OFFICER

...PETITIONER

(BY SHRI. H.V.DEVARAJU ADVOCATE FOR PETITIONER THROUGH V C)

AND :

1 . THE UNION OF INDIA
REPRESENTED BY THE SECRETARY
TO ITS PARLIAMENTARY AFFAIRS
PARILIAMENT HOUSE
NEW DELHI - 110001

2 . STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF CO-OPERATION
M S BUILDING, DR B R AMBEDKAR VEEDHI
BENGALURU - 560001

3 . THE STATE CO OPERATIVE ELECTION AUTHORITY
3RD FLOOR A BLOCK SHANTHINAGAR
TTMC BUILDING, K H B ROAD

BENGALURU - 560027
REPRESENTED BY ELECTION COMMISSIONER

4 . JOINT REGISTRAR OF CO OPERATIVE
SOCIEITEIS (HOUSING AND ORS)
OFFICE OF CO OPERATIVE SOCIETIES
REGISTRAR NO 1, ALI ASKAR ROAD
BENGALURU - 560052

5 . ELECTION OFFICER
OFFICE OF CO OPERATIVE SOCIETIES
REGISTRAR, 3RD FLOOR, A BLOCK
SHANTHI NAGAR, TTM C BUILDING
K H ROAD BENGALURU - 560027

6 . RETURNING OFFICER
SUVARNA COOPERATIVE BANK LTD
NO 62 SANJEEVAPPA LANE, AVENUE ROAD CROSS
BENGALURU - 560002

... RESPONDENTS

(BY SMT. RASHMI PATEL HCGP FOR R2, R4 AND R6
SRI G.V.SHASHIKUMAR ADVOACTE FOR R3
SRI C.SHASHIKANTHA ASG FOR R1)

. . . .

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THAT SECTIONS 20(2)(a-iv) OF THE KARNATAKA CO-OPERATIVE SOCIETIES (AMENDMETN)ACT, 2013 KARNATAKA ACT No. 3 OF 2012 (ANNEXURE-C) PROHIBITS THE MEMBERS FROM PARTICIPATING IN ELECTIONS IF THEY FAIL TO PARTICIPATE IN THE THREE GENERAL BODY MEETING PROCEEDINGS IS ULTRA-VIRUS THE LEGISLATIVE COMPETENT AND ARTICLES 243ZI AND ARTICLE 243ZO OF THE CONSTITUTION OF INDIA AND ETC.,.

THIS WRIT PETITION COMING ON FOR *PRELIMINARY HEARING IN 'B' GROUP* THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Heard Shri H.V.Devaraju, learned advocate for the petitioners, Smt.Rashmi Patel, learned HCGP for the State, Shri G.V.Shashi Kumar, learned advocate for respondent No.3 and Shri C.Shashikantha, learned ASG for responden No.1.

2. Shri Devaraju submits that elections have already been conducted. Therefore, this petition is rendered infructuous and accordingly prayed for its dismissal. He undertakes to send a memo to this effect. Once the memo is received, the Registry shall keep the same in the record.

3. In the circumstance, this petition is dismissed as having become infructuous.

No costs.

Sd/-
JUDGE

Yn.