

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

111

CWP No.4815 of 2020

Date of Decision:20.02.2020

Vikas Yadav

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Ms. Veena Hooda, Advocate for
Mr. Chanderhas Yadav, Advocate for the petitioner.

G.S. SANDHAWALIA, J. (ORAL)

Challenge in the present writ petition filed under Articles 226/227 of the Constitution of India is to the order dated 17.01.2020 (Annexure P-2) whereby the Deputy Registrar has permitted the persons to contest the election for the office bearers of Jhajjar Co-operative Marketing-cum-Processing Society Ltd., which is slated to be fixed for 21.02.2020.

The grouse is that respondent No.4-Azad Singh is not eligible to contest the elections but no action has been taken on the representation filed. Reliance has been placed upon provisions of Section 28 (3) of the Haryana Co-operative Societies Act, 1984 (for short 'the Act') and also upon Section 30 of the Act to submit that respondent No.4 suffers from disqualification as such and he is not entitled to contest the elections.

In the considered opinion of this Court if the said respondent is elected and there is any disqualification, which he suffers, it is always open to the petitioner to challenge the said election in accordance with law.

Accordingly, the present writ petition is not maintainable against the proposed election, which is yet to take the place. In such circumstances, the present writ petition is dismissed in limine.

20.02.2020
pvd

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No