

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 36551 of 2019
Date of decision: 11.02.2020

Harinder Singh and anotherPetitioner(s)

Versus

Registrar, Cooperative Societies, Punjab and others
...Respondent(s)

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

Present: Ms. Jagdeep Bains, Advocate,
for the petitioners.

Ms. Kanica Sachdeva, AAG, Punjab.

None for respondent no. 5.

G.S.SANDHAWALIA, J. (Oral)

Prayer made in the present writ petition is for conducting the elections of the Managing Committee of the respondent no. 5. The petitioners were apprehending that the process had been initiated and thereafter abandoned on 27.11.2019 and approached this Court.

On 20.12.2019, the following order was passed:-

“Although no notice was issued by this Court in the writ petition but Mr.Balwinder Singh Sehra, Advocate, has put in appearance on behalf of respondent No.5-Society and filed an affidavit of the Secretary of the Society, stating therein that the Administrator of the Society has framed the election programme for the Managing Committee of the Society and the election of the Society will be held on 04.02.2020 as per the resolution dated 17.12.2019.

Reply by way of affidavit of Deputy Registrar, Cooperative Societies, Ludhiana, on behalf of respondent Nos.1 to 3 filed today in Court is also taken on record, according to which the election programme,

as forwarded by the Administrator, has been duly approved and the elections of the Managing Committee of respondent No.5 Society are now slated to be held on 04.02.2020.

In view of the above, hearing of the case is deferred to 11.02.2020.

Let a compliance report with reference to the above be submitted on the date fixed.”

Today, affidavit of the Deputy Registrar has been filed that the elections which were slated to be held on 04.02.2020, as noticed above, have been held in a peaceful manner. The names of the persons who were declared elected by the Returning Officer have been mentioned in para no. 4.

Counsel for the petitioner has argued regarding the illegalities as such which have been conducted during the election process.

It is, thus, apparent that the petitioners have a remedy to approach the authorities to challenge the election which has been held.

Faced with this situation, counsel for the petitioners does not press the present petition and prays for liberty to approach the competent authority to challenge the election which has been held.

Ordered accordingly.

It is expected that the authority shall take steps to ensure that the election petition is disposed of at the earliest in view of the guidelines issued by the State Government.

11.02.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No