

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 4942 of 2021**

1. Aatmaram Sahu S/o Palturam Sahu, Aged About 59 Years Member Of Seva Sahkari Samiti Maryadit Darra, Registration No. 227, R/o Village And Post Darra, Tahsil Gurur, District - Balod Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Cooperative Affairs, Mahanadi Bhavan Mantralaya, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh
2. State Cooperative Election Commission, Raipur, District Raipur (C.G.) Through Its Commissioner, Office At Mahila Thana Chowk, Chhotapara, Raipur, District - Raipur Chhattisgarh
3. Election Officer / Returning Officer, Seva Sahkari Samiti Maryadit Darra, Registration No. 227, Tahsil Gurur, District - Balod Chhattisgarh
4. Seva Sahkari Samiti Maryadit Darra, Registration No. 227, Through Its Society Manager, Tahsil Gurur, District - Balod Chhattisgarh

----Respondents

For Petitioner	:	Mr. Manish Upadhyay, Advocate.
For State	:	Ms. Shriya Mishra, P.L.
For Respondents No. 2 & 3	:	Mr. Malay Shrivastava, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09.12.2021**

1. The present writ petition has been filed assailing the order dated 24.11.2021 passed by the respondent No. 3-the Election Officer.
2. Vide the impugned order, the respondent No. 3 has disqualified the petitioner rejecting the nomination form for election of the respondent No. 4-society.

3. Considering the nature of dispute, this Court is of the opinion that it is a dispute which the petitioner otherwise should raise invoking the provision of Section 64 of the Chhattisgarh Cooperative Societies Act 1960, where clause (V) of subsection 2 of Section 64 provides for raising of a dispute arising in connection with the election of any officer of the society, representative of the society or of composite society.
4. Given the fact that there is a statutory alternative remedy available to the petitioner, the present writ petition at this juncture in its present form could not be maintainable. Reserving the right of the petitioner to avail the appropriate statutory remedy available to him, the present writ petition as of now stands disposed of as not maintainable.

**Sd/-
P. Sam Koshy
Judge**