

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 4930 of 2021**

1. Yashwant Verma S/o Late Shri Pyarelal Verma Aged About 54 Years Member Of Seva Sahkari Samiti Maryadit Godgiri Registration No. 385, R/o Village And Post Godgiri, Tahsil Berla, District- Bemetara (C.G.)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- The Secretary, Department Of Cooperative Affairs, Mahanadi Bhavan Mantralaya, Atal Nagar, Naya Raipur, District Raipur (C.G.)
2. State Cooperative Election Commission Raipur, District- Raipur (C.G.), Through- It's Commissioner, Office At Mahila Thana Chowk, Chhotapra, Raipur, District- Raipur (C.G.)
3. Election Officer/ Returning Officer Seva Sahkari Samiti Maryadit Godgiri, Registration No. 385, Tahsil Berla, District- Bemetara (C.G.)
4. Deputy Registrar Cooperative Societies, Bemetara, District- Bemetara (C.G.)
5. Seva Sahkari Samiti Maryadit Godgiri Registration No. 385, Through- It's Society Manager, Tahsil Berla, District- Bemetara (C.G.)

----Respondents

For Petitioner	:	Mr. Manish Upadhyay, Advocate.
For State/Res. No. 1 & 4	:	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 26.11.2021 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. 5-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.

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