

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CM-297-CWP-2021 in/and

CWP No. 21540 of 2020

Date of Decision: February 10, 2021

Teja Singh

.....Petitioner

versus

State of Haryana & Others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTALPresent: Mr. Arun Sharma, Advocate
for the petitioner**Sudhir Mittal, J. (Oral)****CM-297-CWP-2021**

This application has been filed for placing on record concise list of dates and events.

For the reasons stated therein, application is allowed and concise list of dates and events is taken on record.

CWP-21540-2020

The petitioner was a candidate from Zone No.6 for the election of respondent No.5 held on 15.09.2019. The result was declared next day i.e. on 16.09.2019, according to which the petitioner was unsuccessful. This result was not challenged by the petitioner within the period of limitation prescribed for preferring an election petition. Some other defeated candidate challenged the result and the Election Tribunal set aside the entire election process. On appeal filed by one Rajinder Singh, the order of the Election Tribunal was set aside and direction was issued to the Registrar, Cooperative Societies Haryana to adopt any transparent method for representation of two women in the Board of Directors of respondent No.5. Vide order dated 26.05.2020, another zone was reserved for

women which was challenged by Rajinder Singh by way of revision petition. The said revision petition is still pending. Thereafter, the same person challenged the order dated 26.05.2020 by way of writ petition, in which the order was stayed. The present petition has been filed challenging the entire election process on the ground that now the petitioner has come to know that gross violations have been committed therein.

Learned counsel for the petitioner has submitted that certain amendments were made in the Haryana Cooperative Societies Act, 1984 in the year 2013 but the petitioner had no knowledge of the same because he resides abroad. He acquired knowledge of the same late in the year 2020 and, thus, the present writ petition has been filed.

From the aforementioned facts, it is evident that after his loss in the election, the petitioner did not challenge the same and apparently felt satisfied. The present writ petition has been filed after one year and three months of the declaration of the result and the reason, therefor, appears to be the fact that another writ petition filed by Rajinder Singh (respondent No.6) is pending in which the order of reservation of another zone for women candidates has been challenged. The attempt is to fish in troubled waters and expand the scope of the said writ petition. Such an effort is not condonable in law.

In view of the above, the writ petition is dismissed as being barred by delay and laches as well as being mala fide in nature.

February 10, 2021

Poonam Negi

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes

Whether Reportable : No