

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14304 of 2022

Gagan Bihari Pattanaik and others* *Petitioners
Mr. Dayananda Mohapatra, Advocate

-versus-

State of Odisha and others* *Opp. Parties
Mr. Harmohan Dhal, Advocate
(For Opposite Party No.1)

Mr. Ashok Kumar Rath, Advocate
(For Opposite Party No.2)

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
10.06.2022**

Order No.

2. 1. This matter is taken up through Hybrid mode.
2. 2. Counter affidavit filed on behalf of Opposite Party No.2 along with Vakalatnama in Court is taken on record. Vakalatnama filed in Court on behalf of Opposite Party No.1 is also taken on record.
3. 3. Petitioners in this writ petition pray for a direction to provide adequate Polling Stations at Cuttack for smooth conduct of ensuing cooperative election in respect of Utkal Co-operative Bank Limited pursuant to notice dated 13th May, 2022 (Annexure-1).
4. 4. Mr. Mohapatra, learned counsel for the Petitioners submits that pursuant to notification made by the State Cooperative Election Commission under Annexure-1, the election of the Utkal Cooperative Bank Ltd. is going to be held on 19th June, 2022. A large number of members of the said

Cooperative Bank, who belong to Cuttack and operating their A/cs in the Cuttack Branch, will face much difficulty to cast their votes at Bhubaneswar, as there will be heavy rush at the Polling Stations. As they are all employees in different Directorates situated at Cuttack, the State Cooperative Election Commission ought to have made suitable arrangements by setting up adequate numbers of Polling Stations at Cuttack. If adequate number of Polling Stations are set up at Cuttack, there will be smooth and hassle free conduct of the ensuing cooperative election of the aforesaid Bank.

5. Taking into consideration the submission made by learned counsel for the Petitioners, this Court, vide order dated 7th June, 2022, directed learned State Counsel to take instruction in the matter.

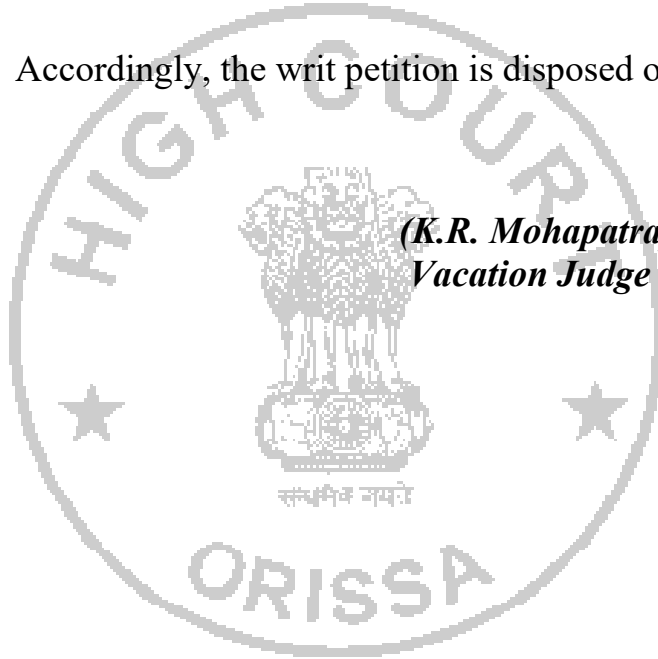
6. Mr. Dhal, learned counsel enters appearance on behalf of State Cooperative Election Commission-Opposite Party No.1 and submits that although the grievance of the Petitioners appears to be genuine, but due to paucity of time the same cannot be attended to. He also draws attention of this Court to Sub-section (6) of Section 28-AA of the Orissa State Cooperative Societies Act, 1962 and submits that the Election Commission does not have any Officer(s) of its own to conduct the election. It depends upon the State Government to provide adequate numbers of staff, officers and personnel for smooth conduct of election. Due to intervening holidays, it will not be possible to arrange adequate officers and Polling Stations at Cuttack for smooth conduct of the ensuing election. He further submits that the grievance of the Petitioners can be looked into

in the next election of the Cooperative Bank. The Assistant Registrar, Cooperative Societies-cum-Election Officer- Opposite Party No.2 also reiterates the same by filing counter affidavit.

7. In view of the submission made by Mr. Dhal, learned counsel for Opposite Party No.1, no further order can be passed in this writ petition. It is, however, observed that the Opposite Party No.1 shall look into the grievance of the Petitioners in the next election of the Utkal Cooperative Bank Ltd.

8. Accordingly, the writ petition is disposed of.

(K.R. Mohapatra)
Vacation Judge



s.s.satapathy