

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 17574 OF 2022

Basanta Kumar Mallik ***Petitioner***

Mr. S.S.K. Nayak, Advocate

-versus-

State Co-operative Election Commission, Odisha and others ***Opp. Parties***

Mr. H.M. Dhal, Advocate

(For State Co-operative Election Commission)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

11.08.2022

Order No.

3. 1. This matter is taken up through hybrid mode.
2. This writ petition has been filed seeking for a direction to the State Co-operative Election Commission to fix a date for election to the post of President of Bharigada Primary Agricultural Co-operative Society Ltd. (for short 'Bharigada PACS Ltd.')
3. Mr. Nayak, learned counsel for the Petitioner submits that although pursuant to the notification published, the election to the post of President was scheduled to be held on 6th July, 2022, but due to illness of the Election Officer, election could not be conducted. Since then, the authorities are not taking any step to hold the election to the post of President of Bharigada PACS Ltd. In view of inaction of authorities, the Petitioner has filed this writ petition for the aforesaid relief.
4. Considering the submission made by learned counsel for the Petitioner, this Court vide order dated 18th July, 2022 directed Mr. Dhal, learned counsel for the State Co-operative Election Commission to take instruction in the matter.

However, Mr. Dhal, learned counsel submits that he has not received any instruction in the matter as yet.

5. Taking into consideration the submissions made by learned counsel for the parties and the fact that due to illness of the Election Officer, the election to the post of President of Bharigada PACS Ltd. could not be held on the schedule date, this Court disposes of this writ petition with a direction that the election to the post of President of Bharigada PACS Ltd. shall be held as expeditiously as possible, but not later than 15th September, 2022, following due procedure of law.

6. A copy of this order be handed over to Mr. Dhal, learned counsel for the State Co-operative Election Commission for communication and compliance.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks