

**226 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP-21445-2017

Date of Decision: 06.04.2022

Rupinder Kaur and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashwani Prashar, Advocate,
for the petitioners.

Ms. Kanika Sachdeva, AAG, Punjab.

Mr. Sandeep K.Sharma, Advocate,
for respondents No.5 to 121.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the challenge is to the Election Programme dated 18.08.2017 (Annexure P-5), for conducting the elections of respondent No.4-Society.

Learned counsel for the petitioners submits that a period of more than four and a half years have already elapsed and as of now, the management of the Society concerned is being looked after by a Committee instituted by the Registrar, Cooperative Societies, Punjab.

Learned State counsel submits that the State has no objection with regard to conduct of election of respondent No.4-Society and the same will be conducted in accordance with law/bye-laws of the society concerned, coupled with the order passed by the competent Court of law, in respect of the affairs of respondent No.4-Society.

Learned counsel for the petitioners submits that he has no

objection for the said proposal but the State should take into consideration Annexures P-1 and P-2, i.e. orders passed by this Court, which relate to respondent No.4-Society only.

Learned counsel appearing on behalf of the private respondents raises no objection with regard to proposal of the State of holding elections to respondent No.4-Society in accordance with law/bye-laws of the respondent No.4-Society, coupled with the decisions of the competent Court of law in respect of the affairs of respondent No.4-Society.

That being the situation, the present petition is disposed of with liberty to the respondent-State to hold the elections of the respondent No.4-Society and while doing so, the rules governing the said elections as well as the bye-laws of the Society concerned and the orders passed by the competent Court of law in the said regard, concerning respondent No.4-Society, be adhered to. The respondent-State will also apply its own mind with regard to the directions given by this Court, vide Annexure P-1 and P-2, while holding the elections. The holding of the elections will be at discretion of the respondent-State but the State is directed to ensure that the elections be conducted in accordance with the aforementioned proposal as early as possible.

Disposed of in the above terms.

06.04.2022
Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No