

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

1. **CWP No.4336 of 2018**
Date of Decision:-06.04.2022

Jaimal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

2. **CWP No.3281 of 2018**

Sukhraj Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mrigank Sharma, Advocate for
Dr. Puneet Kaur Sekhon, Advocate
for the petitioners.

Ms. Kanika Sachdeva, AAG, Punjab.

Mr. Harbans Lal Sharma, Advocate
for respondent No.4.

HARSIMRAN SINGH SETHI J.(Oral)

By this common order, two petitions, details of which have

been given in the head note of this order, are hereby disposed of as the same orders are being challenged in both these petitions. For the sake of convenience the facts are being taken from CWP No.4336 of 2018.

Vide order dated 06.10.2017 (Annexure P-12 in CWP No.4336-2018 and Annexure P-7 in CWP-3281-2018) the Managing Committee of respondent No.4-Society was dissolved against which order, an appeal was preferred, which was also dismissed on 01.2.2018 (Annexure P-14 in CWP No.4336-2018 and Annexure P-9 in CWP-3281-2018). The challenge in the present petition is to the orders dated 06.10.2017 and 01.2.2018.

After issuance of notice of motion, the further election to the respondent No.4-Society was stayed for the reason that the Managing Committee was elected in May 2016 and had a five years term which was to expire in May 2021.

As the term of the Managing Committee has already expired during the pendency of the present petition in May 2021, hence, no further order is required to be passed keeping in view the impugned orders dated 06.10.2017 (Annexure P-12 in CWP No.4336-2018 and Annexure P-7 in CWP-3281-2018) and dated 01.2.2018 (Annexure P-14 in CWP No.4336-2018 and Annexure P-9 in CWP-3281-2018) especially when, there is no disqualification attached with the members of the Managing Committee, which Managing Committee was removed by the impugned orders.

Keeping in view the above, learned counsel for the parties submit that the fresh election to the respondent No.4-Society be conducted

by the competent authority in accordance with law coupled with the bye-laws of the society, expeditiously preferrably within a period of next 4 months.

Ordered accordingly.

April 06, 2022
Vijay Asija

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No