

117.

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

CWP-22874-2022

Date of Decision: 30.09.2022

WAZIR SINGH

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Naresh K. Chhokar, Advocate,
for the petitioner.

JAISHREE THAKUR.J

The instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing notification dated 21.09.2022 (Annexure P-4) whereby respondent No.4 has issued the election schedule to fill up the posts of President and Vice President of the Khurana PACS Limited, Khurana Zone, to be held on 06.10.2022.

Learned counsel appearing on behalf of the petitioner would contend that the petitioner successfully contested the election for the post of member of the Khurana PACS Limited, Khurana Zone, Khurana on 09.07.2019. Thereafter, the election for the office bearers of the said Society was to be conducted on 03.07.2020, which election was postponed. In the meanwhile, one elected member i.e. Bachan Singh son of Ran Singh died on 22.01.2022 and as a result of it, one post of member fell vacant. No one has been elected in place of said Bachan Singh so far. However, respondent No.4

has notified the election process for the posts of President and Vice President of the Society vide the impugned notification without filling up the vacant post on account of death of one of the elected members. The petitioner has met the Assistant Registrar, Cooperative Societies, Kaithal and has made a request to fill up the vacant post. However, the said request is not being acceded to. It is submitted that without completing the coram itself, the election process has been notified.

I have heard learned counsel for the petitioner and perused the paper book.

Learned counsel for the petitioner has not been able to satisfy this Court as to how the coram was not complete merely on account of one member having passed away. The election process had been notified on 21.09.2022 and notice has been issued to 8 members. There is no pleadings or any material available on record to establish that the proceedings initiated are not in accordance with law.

Consequently, the writ petition is dismissed leaving it open to the petitioner to avail any remedy available to him in accordance with law.

(JAISHREE THAKUR)
JUDGE

30.09.2022

sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No