

106.

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

CWP-23613-2022

Date of Decision: 28.10.2022

LEKH RAM

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amarjeet Beniwal, Advocate,
for the petitioner.

Ms. Kirti Singh, DAG, Haryana.

JAISHREE THAKUR.J (Oral)

The limited prayer in this writ petition is for issuance of direction to the respondents to conduct election of the office bearers of the Managing Committee of the Jhajjar Primary Cooperative Agriculture and Rural Development Bank Limited, Jhajjar.

Mr. Beniwal, learned counsel appearing on behalf of the petitioner would submit that the election process had been notified on two earlier occasions but for some oblique motive, the same had been deferred.

A perusal of this writ petition would reflect that the same was filed on 11.10.2022 raising an apprehension that the election which was postponed on earlier occasions, had now been notified for 19.10.2022 and the same is again likely to be deferred. This Court, taking note of the contentions

raised, issued notice which was accepted by Ms. Kirti Singh, DAG, Haryana. The matter was adjourned for today to be able to verify whether or not the election was held or the apprehension of the petitioner that the same would be deferred, had some strength.

Today when the matter is taken up, a short reply of Shri Satish Kumar, Deputy Registrar, Cooperative Societies, Rohtak, has been filed in Court today on behalf of respondents No.1 to 3 & 6. A reading of the reply would reflect that the election scheduled for 19.10.2022 in fact stands deferred and a new election program has been issued. Election is now stated to be held on 10.11.2022. The primary reason given for deferring the election scheduled to be held on 19.10.2022 is that the Chief Executive Officer, District Primary Agriculture and Development Bank Limited, Jhajjar was unable to attend the meeting as he was issuing No Due Certificates to the loanee candidates for the election of Gram Panchayat, working as Branch Manager of the District Primary Agriculture and Development Bank Limited, Rewari.

In the opinion of this Court, it does not seem to be cogent reason enough for deferring the election. No Due Certificates could have been issued by some other responsible officer of the Bank. The apprehension of the petitioner herein that the election is being deferred time and time again to accommodate certain candidates, prima facie seems to be justified.

At this stage, Mr. Satish Kumar, Deputy Registrar, who is present in Court, undertakes that the election scheduled to be held on 10.11.2022 will not be deferred under any circumstance whatsoever.

In view of the aforesaid undertaking, the present petition is disposed of as having rendered infructuous. However, failure to comply the said undertaking will make the said officer liable for contempt of Court.

(JAISHREE THAKUR)
JUDGE

28.10.2022

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