

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

238

**CWP-10620-2022 (O&M).
Date of Decision: 20.11.2023.**

PREMPAL SINGH CHAUHAN

... Petitioner

Versus

**CHIEF GENERAL MANAGER, NATIONAL FERTILIZERS
LIMITED, NANGAL UNIT AND OTHERS**

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Sh. Prempal Singh Chauhan petitioner-in-person.

Mr. Vipin Mahajan, Advocate,
for the respondents.

VINOD S. BHARDWAJ, J. (ORAL)

The prayer made in the present writ petition was for seeking quashing of the decision of the National Fertilizers Limited, Nangal Unit rejecting the candidature of the petitioner for the post of President in Fertilizers Officer Association elections conducted on 19.04.2022.

While issuing notice of motion, a specific query had been raised by this Court as per which the petitioner was obligated to satisfy whether rejection of a nomination illegally (as alleged) would give rise to a remedy of filing writ petition or the remedy lies in the form of election petition or elsewhere.

During the course of arguments today, questions were raised to the petitioner as to nature of the Fertilizers Officer Association and as to

whether the above said Society/Association is a Statutory Association or a registered Association and the petitioner is ignorant of the nature of the said Association. A further query was raised to the petitioner as to the public functions/public duty to be discharged by the aforesaid Fertilizers Officer Association so as to render it amenable to a writ jurisdiction, the petitioner is not in a position to refer to the same as well. Apparently, in the absence of the above said Association being a Statutory Association and/or discharging any public function or public duty, a writ petition against any actions/decisions pertaining to election of a private unregistered Association would not be amenable and a writ petition would not be maintainable.

Faced with above, the petitioner who is present-in-person seeks permission to withdraw the present writ petition so as to pursue the alternative remedies in accordance with law against the illegal action (as alleged) by the Election Officer.

Learned counsel for the respondents has no objection to the same.

Disposed of as withdrawn with liberties as aforesaid.

Needless to mention that in the event of the petitioner seeking recourse to any such alternative remedy as may be available to him in law, the period during which the present petition has remained pending shall be kept in mind while computing limitation, if any.

November 20, 2023.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No