

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

(120)

CWP-23210-2023

Decided on : 12.10.2023

Krishna Kant Singh & another

.....Petitioner(s)

Versus

State of Punjab & others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE VIKRAM AGGARWAL**

Present: Mr.Rajiv Sharma, Advocate for the petitioner (s).

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition, filed under Article 226/227 of the Constitution of India is primarily to the General Body Meeting of the Residents Welfare Association of the Motiaz Royal Citi Group, Zirakpur which was held on the directions issued by the Sub-Divisional Magistrate, Dera Bassi.

2. A perusal of the paperbook would go on to show that in a meeting held on 17.09.2023, the procedure for election and the date and time of the election was to be done and the preparation of the voters list. A perusal of the document dated 18.09.2023 (Annexure P-17) would go on to show that election is to be held on 15.10.2023 and more than 75% members voted for the election to be conducted on the said date. The total members present in the General Body Meeting was 124 out of 715. The order which has been impugned dated 05.05.2023 (Annexure P-7) of the authorities primarily direct for the General Body Meeting to be held and has been upheld in appeal 19.05.2023 (Annexure P-8).

3. In such circumstances, we are not inclined to interfere in the issue of elections of the Residents Welfare Association as disputed questions of fact would arise and the Writ Court would not be the right forum to decide the said issue. Accordingly, the present writ petition is dismissed in limine.

(G.S. SANDHAWALIA)
JUDGE

12.10.2023
Sailesh

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned :	Yes	
Whether Reportable :		No