



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9985-2023(O&M)
Date of decision:-28.08.2024

Randhir Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Akhilesh Vyas, Advocate
for petitioner.

Ms.Amrita Garg, AAG, Punjab.

Mr.R.K. Sharma, Advocate
for respondent No.3.

Mr.Ashwani Prashar, Advocate
for respondent No.4 (THROUGH V.C.)

SUVIR SEHGAL, J.(ORAL)

1. By way of present writ petition filed under Articles 226/227 of the Constitution of India, petitioner has approached this Court, *inter alia*, for issuance of a writ in the nature of certiorari for quashing elections to the Board of Directors of Amritsar Cooperative Labour and Construction Union Ltd. scheduled for 08.05.2023.



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2. Upon notice by this Court, writ petition has been contested by respondents by filing separate response primarily on the ground that the petition is not maintainable as the petitioner has a remedy of filing an election petition.

3. I have heard counsel for the parties and considered their respective submissions.

4. Similar issue came up for consideration before this Court in CWP-16568-2022 and relying upon the decision rendered by this Court in Indu Lata Aggarwal and another Versus Joint Registrar Co-operative Societies, Patiala Division, Patiala and others 2011 (3) R.C.R. (Civil) 564, this Court dismissed the writ petition as not maintainable. This Court held that the petitioner has an alternate remedy of filing an election petition under Rule 12 (2) of Appendix 'C' of the Punjab Co-operative Societies Rules, 1963 and the petitioner has not given any reason for not availing the same. For the reasons recorded therein, the instant petition is dismissed as not maintainable.

5. However, liberty is granted to the petitioner to take recourse, if so advised, to the alternate remedy of filing an election petition in accordance with law.

6. Pending applications, if any, are disposed of.

(SUVIR SEHGAL)
JUDGE

28.08.2024
Brij

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No