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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19972-2021

Date of decision:-25.11.2024

Sushil Kumar and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr. Munish Jolly, Advocate and
Mr. Sanjay Jagra, Advocate
for the petitioners.

Ms. Amrita Garg, AAG, Punjab.

Mr. H.S. Bedi, Advocate
for respondents No.4 to 13.

SUVIR SEHGAL, J.(ORAL)

1. By way of present writ petition filed under Articles 226/227 of the Constitution of India, petitioners have approached this Court, *inter alia*, for issuance of a writ in the nature of certiorari for quashing the election result, Annexure P1.

2. Upon notice, writ petition has been contested by the respondents by filing separate replies. An objection has been taken by the respondents that the petitioners have an alternative remedy of filing an election petition under Section 55/56 of the Punjab Cooperative Societies Act, 1961 (hereinafter referred to as "1961 Act") read with



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Rule 12 (2) of Appendix C Part I of the Punjab Co-operative Societies Rules, 1963.

3. Mr. Jolly, who is representing the petitioners has placed reliance upon an order dated 09.09.2024 passed by a Division Bench of this Court in LPA-2153 of 2024 titled “*Malkiat Singh Versus State of Punjab and others*” to submit that the petitioners may be granted time as directed by the Division Bench.

4. In view of the stand taken by the respective parties, writ petition is disposed of. Petitioners are granted a period of two weeks from today for filing an election petition in terms of the provisions of 1961 Act and rules framed thereunder. In case the petitioners approach the competent authority within the aforesaid period, attempt be made by the State authority to dispose of the petition as expeditiously as possible.

(SUVIR SEHGAL)
JUDGE

25.11.2024
Brij

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