



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CWP-21423-2024 (O&M)

Date of Decision: 12.09.2024

PALA RAM AND OTHERS

.... Petitioners

V/S

REGISTRAR, COOPERATIVE
SOCIETIES AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Naresh Kumar Ganga, Advocate for the petitioners.

Mr. Aman Bahri, Addl. A.G. Haryana.

SUVIR SEHGAL, J. (ORAL)

1. Instant petition has been filed under Article 226/227 of the Constitution of India, *inter alia*, for issuance of a writ in the nature of certiorari for quashing the impugned voter list, dated 22.05.2024, Annexure P-1. Further a direction has been sought to the respondents to prepare a fresh voter list after following the due process of law and completing all the formalities.

2. Counsel for the petitioners submits that the elections to the Kalanwali Multipurpose Primary Agricultural Cooperative Society Ltd. were announced and its schedule was published vide Annexure P-3. He submits that a perusal of the voter list, Annexure P-1, circulated by the respondents shows that it includes the name of some voters, who had expired and also some of the voters, who have shifted from the village. On this premise, he has sought the quashing of the impugned list. He contends that there is a note beneath the list that it does not include the list of any deceased person.



3. Upon service of an advance copy, State has filed a reply on behalf of respondents No.1 to 3, wherein it has been submitted that procedure as prescribed under Sr.No.35 of Appendix ‘A’ Part III, of Haryana Co-operative Societies Rules, 1989, (for brevity “the 1989 Rules”) has been adhered to and there is no violation of any procedure.
4. I have heard counsel for the parties and considered their respective submissions.
5. A perusal of the election schedule, Annexure P-3, shows that the voter list which has to be prepared under Sr.No. 35(2), *ibid*, has to be displayed at the places specified therein from 25th July to 28th July, 2024. Objections, if any to the voter list, were to be submitted on 28.07.2024 and their hearing was to be conducted on 29.07.2024. A categoric stand has been taken by the respondents in their reply that no objection was raised by the petitioners or by any other member of the Society. In the absence of any objection, petitioners cannot be permitted to file a writ petition that too after scrutiny of the nomination papers have been finalized. Moreover, once the election process has already started, any attempt to stall it, has to be thwarted. Petitioners have failed to establish that the procedure prescribed under the 1989 Rules has been breached.
6. There is no merit in the writ petition, which is hereby dismissed.

12.09.2024
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No