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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7527-2026

Date of decision: 12.03.2026

MAKHAN SINGH AND OTHERS

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

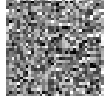
CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Sanjiv Gupta, Senior Advocate with
Mr. Anuj Gupta, Advocate and
Mr. Lavish, Advocate for the petitioners.

JASGURPREET SINGH PURI, J. (Oral)

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the impugned letter dated 06.02.2026 (Annexure P-1) of election programme, order dated 06.02.2026 (Annexure P-2) issued under sub-section (3) of Section 34 of the Haryana Cooperative Societies Act and Election Rules, 1989, fixing the date of election of the Managing Committee of the respondent-Society for 18.03.2026 as well as the Election Programme dated 06.02.2026 (Annexure P-3), which has been issued without finalization of the voter list and is in defiance of the statutory Rules.

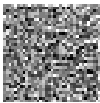
2. Mr. Sanjiv Gupta, learned Senior Counsel appearing on behalf of the petitioners submitted that the challenge in the present petition is to the Election Programme (Annexure P-3), Annexure P-1 which is the letter written



by the Returning Officer-cum-Assistant Registrar, Cooperative Societies, Kaithal to the Parbandhak-cum-Election Manager, the Khurana Multi Purpose Primary Agriculture Cooperative Society Limited for initiating the process of election and Annexure P-2, which is the order fixing the date of election of the Management Committee of the aforesaid Society on the ground that the voter list has not been finalized and the bogus voters as well as the voters who are already deceased have been included and in this regard, objections were filed by the petitioners before the Returning Officer vide Annexure P-5 dated 13.02.2026. He further submitted that till the voter list is not finalized, the election should not be conducted and therefore, the election process finalized vide Annexure P-3 has been challenged.

3. On the other hand, Mr. Udit Garg, Addl. A.G., Haryana submitted that he has received an advance copy of the present petition and has also sought instructions in the present case. He further submitted that the present petition is not maintainable since the election process has already started with the filing of nominations on 09.03.2026 as reflected in the aforesaid election programme (Annexure P-3) and the elections are now scheduled to be held on 18.03.2026 in terms of the said election programme. He referred to the provisions of Section 28(2) of the Haryana Cooperative Societies Act, 1984, which provides that once the election process has started, it shall not be postponed and disputes, if any, pertaining to the election, shall be entertained after the completion of the election process, in accordance with the provisions of this Act.

4. Learned State counsel submitted that apart from the above, one of the reasons for filing the present petition as so stated by the learned Senior

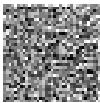


Counsel appearing on behalf of the petitioners was that the objections which were filed by the petitioners vide Annexure P-5 have not been decided, whereas he has instructions to state that no such objections have been received by the Returning Officer at all and on this ground as well, the present petition is liable to be dismissed.

5. I have heard the learned counsels for the parties.
6. The petitioners seek to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India to challenge the Election Programme (Annexure P-3), which is reproduced as under:-

“Election programme The Khurana M-Primary Agriculture Cooperative Society Ltd. Khurana Distt. Kaithal to be held on 18.03.2026.

Sr. No.	Programme	Date	Time	Place
1.	Exhibition of the list of voters as required under sub para (2) of Rule 35	09.02.2026 to 15.02.2026	9:00 AM to 5:00 PM	[1] office of ARCS KTI. [2] Coop. Bank Br. Khurana [3] Regd. Office of M-PACS & its sale point [4] Insp. C/S Kaithal-1
2.	Haring of objection to the as require under sub para 4 para 35 ibid	16.02.2026	9:00 AM to 12:: noon	Office of Assistant Registrar Coop. Socs. Amargarh Gamri Kaithal
3.	Filling of nomination	09.03.2026	10:00 am to 2:00 PM	-do-
4.	Scrutiny of the nomination paper	10.03.2026	9:00 am to 12:00 noon	-do-
5.	Display of list of validity nominated candidates	10.03.2026	2:00 PM	-do-



6.	Withdrawal of the nomination papers	12.03.2026	9:00 am to 2:00 PM	-do-
7.	Alocation of symbol	13.03.2026	3:00 PM	-do-
8.	Dispolay of the list of contested candidates	13.03.2026	4:00 PM	-do-
9.	Taking of Poll if necessary	18.03.2026	8:00 AM to 4:00 PM	Place given below

Sr. No.	Place of Polling	Polltion Station No.	Booth No.	Sr. No. of voter list.
1.	The Khurana M-PACS at sale point Khurana	1	1	1 to 1506
2.	The Khurana M-PACS Ltd. Sale Point Kwartan	1	2	1507 to 1892

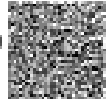
[1] It is compulsory for all voters to bring society pass book/other photo I.D.

[2] Out of total ten elected Committee Members, out of which, one Women, one schedule caste member and if backward caste voter are more than 10% at least one B.C. Member will be elected.

Sd/- 6.2.26
Returning Officer cum
Assistant Registrar
Cooperative Societies
Kaithal.”

7. A bare perusal of the aforesaid would show that the election process has already started with the filing of nominations on 09.03.2026 and after completion of the remaining formalities, the date fixed for polling, if necessary, is 18.03.2026.

8. Section 28(2) of the Haryana Cooperative Societies Act, 1984, is reproduced as under:-

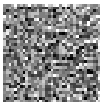


“28(2) The election process once started shall not be postponed and disputes, if any, pertaining to the election, shall be entertained after the completion of the election process, in accordance with the provisions of this Act.”

9. It is a settled law that once the election process has started, then no such petition is maintainable and the election process cannot be stalled. Any improper rejection or acceptance of nominations, or of voters are always subject matter of adjudication in an election petition, if so filed. It is in this spirit and in accordance with the basic principles of law that the aforesaid provision of Section 28(2) was inserted in the Haryana Cooperative Societies Act, 1984, which has been reproduced above.

10. Not only this, it was rather stated by the learned State counsel that Annexure P-5, which has been attached by the petitioners along with the present petition as objections, has not even been received by the Returning Officer.

11. In view of the aforesaid facts and circumstances, this Court is of the considered view that the present petition is liable to be dismissed. Accordingly, the present Civil Writ Petition is dismissed with costs of Rs.10,000/- (Rupees Ten Thousand). The petitioners are hereby directed to deposit the aforesaid costs with the Punjab and Haryana High Court Bar Association Lawyers Family Welfare Fund, within a period of two months from today and thereafter, furnish the receipt of such deposit to the Registry of the Court. In case the aforesaid costs are not deposited by the petitioners within the aforesaid stipulated period, then this Court will further proceed in accordance



with law, including recovery of the same as arrears of land revenue and if the receipt of the aforesaid costs is not furnished by the petitioners to the Registry of the Court within two months, then the Registry shall list this case for compliance purposes after two months.

12.03.2026
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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