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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-8210-2026

Date of decision: 19.03.2026

RAJPAL SINGH AND OTHERS

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

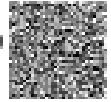
CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Pardeep Solath, 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 order dated 11.03.2026 (Annexure P-13) passed by respondent No.1, Resolution dated 29.01.2026 (Annexure P-7) passed by respondent No.3 and old tentative voter list prepared as per letter dated 22.07.2025 (Annexure P-2), with a further prayer to direct respondents No.2 and 3 to prepare a fresh voter list after calling all the societies to send the names of their representative as per instructions dated 02.01.2015 (Annexure P-8) issued by RCS, Haryana.

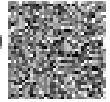
2. Learned counsel for the petitioners submitted that the petitioners are members of different Primary Agricultural Cooperative Societies and respondent No.2 is the Cooperative Bank, namely, The Kaithal Central



Cooperative Bank Limited, which is a Central Cooperative Society registered under the Cooperative Societies Act and that the elections to the Board of Directors of the aforesaid Bank are conducted by way of voting by different affiliated Societies through their authorized representatives and in this way, the Board of Directors of the Central Cooperative Bank is elected. He further submitted that the tenure of respondent No.2-Bank, which is a Cooperative Society, had expired on 12.10.2024 and thereafter, a Zonal Committee was constituted for the purpose of conducting further elections to the Board of Directors of the Bank. The Zonal Committee thereafter started the process of reserving the zones in accordance with the instructions issued by the Registrar, Cooperative Societies and also for the purpose of preparation of the voter list.

3. Learned counsel for the petitioners submitted that although the Zonal Committee had earmarked the zones but the same were based upon the earlier existing voter list and the voter list was not revised and in the absence of such revision of the voter list, the zones could not have been made and therefore, the entire process followed by the Zonal Committee was not in accordance with law.

4. Mr. Solath submitted that the petitioners, in order to raise their grievances, filed a revision petition before the Special Secretary to Government of Haryana, Cooperation Department, which was dismissed vide order dated 11.03.2026 (Annexure P-13) on erroneous grounds. While referring to the aforesaid order, he submitted that the Special Secretary to Government of Haryana, Cooperation Department has not considered the aforesaid aspect that without finalizing and revising the voter list, the zones could not have been

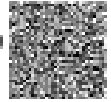


earmarked and framed and therefore, the entire process of sending the names of authorized representatives from different Primary Agricultural Cooperative Societies to respondent No.2-Bank was not in accordance with law and consequently, the impugned order (Annexure P-13) is liable to be set aside and a direction may be issued to respondent No.3-Zonal Committee to first finalize the voter list and thereafter earmark the zones in accordance with the directions issued by the Registrar, Cooperative Societies, from time to time.

5. At this stage, Mr. Chirag Wadhwa, DAG, Haryana has appeared on behalf of respondents No.1 and 3 and Mr. Madan Pal, Advocate, who is on Caveat, has appeared on behalf of respondent No.2-Bank.

6. Learned counsel for respondent No.2 submitted that the present petition is liable to be dismissed not only on merits but also on the ground that it is wholly premature. He further submitted that the tenure of the Board of Directors of the Bank had expired on 12.10.2024 and about 1½ years have elapsed that the elections could not be conducted due to the delaying tactics of the petitioners. He also submitted that a perusal of the impugned order would show that the Zonal Committee had invited objections not only to the tentative zones but also to the tentative voter list, regarding which the objections are still pending and therefore, the present petition is liable to be dismissed on the ground of being premature.

7. Learned counsel for respondent No.2 submitted that all the present petitioners are only members of different Primary Agricultural Cooperative Societies and for the elections to the Board of Directors of the Central Cooperative Bank, the voters are the respective Primary Agricultural

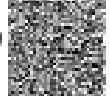


Cooperative Societies, which authorize one representative to represent the Society for voting purposes, whereas in the present case, none of the Primary Agricultural Cooperative Societies has filed the petition and therefore, the petitioners who have filed the present petition in their individual capacity by virtue of being members of the Cooperative Society, have no *locus standi* to file the present writ petition.

8. I have heard the learned counsels for the parties.

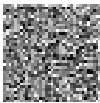
9. First of all, the issue with regard to the *locus* of the petitioners is required to be considered. A perusal of the memo of parties would show that there are seven petitioners in the present case and all the petitioners are acting in their personal capacity. It is not in dispute that for the elections to the Board of Directors of respondent No.2-Bank, the voters are the Primary Agricultural Cooperative Societies in their juristic personality and an individual member is not entitled to vote for the said Board of Directors, which is the subject matter of the present case. Therefore, this Court is in agreement with the argument raised by the learned counsel for respondent No.2-Bank that the present petitioners have no *locus standi* to file the present petition.

10. Even otherwise also, a perusal of the impugned order (Annexure P-13) would show that the term of the elected Board of Directors of respondent No.2-Bank had expired on 12.10.2024, which is about 1½ years ago and the Government had appointed the Board of Administrators (BOA). Thereafter, a Zonal Committee was constituted, which was challenged by the petitioners by way of filing the revision petition. After the amendment to the Constitution of India in 2011, a separate chapter Part IXB was inserted by way of the 97th



amendment to the Constitution of India pertaining to the Cooperative Societies. Article 243ZK contains a non-obstante clause, which provides that notwithstanding anything contained in any law made by the Legislature of a State, the election of a board shall be conducted before the expiry of the term of the board so as to ensure that the newly elected members of the board assume office immediately on the expiry of the term of the office of members of the outgoing board. In this way, for any Board whose term is expiring, elections are required to be conducted before the expiry of the term of the Board as per the mandate of the aforesaid provision contained under the Constitution of India. However, in the present case, about 1½ years of the tenure have already expired and the petitioners are now seeking to challenge the procedure followed by the Zonal Committee. In light of the provisions of Article 243ZK of the Constitution of India, this would also become an important factor to consider as to whether this Court should intervene or not.

11. A further perusal of the impugned order would show that the Zonal Committee had prepared tentative zones and tentative voter list and had invited objections from all concerned. Thereafter, 18 objections were received, which were considered by the Zonal Committee. Subsequently, one of the present petitioners filed a revision petition, in which it was held that the said revision petition was premature and the competent authority was directed to invite the objections afresh and decide the same in accordance with law before finalizing the zones and the voter list and thereafter, the Zonal Committee complied with the aforesaid directions and invited the objections afresh vide Resolution dated 31.12.2025. The Zonal Committee heard the objections and thereafter, finalized



the zones on 29.01.2026. Thereafter, fresh objections regarding the voter list were invited after 23.02.2026. In this way, the objections with regard to the voter list were invited and as per the learned counsel for respondent No.2, the voter list has not even been finalized yet. The argument which was raised by the learned counsel for the petitioners that the voter list was required to be revised before finalizing the zones is therefore misconceived and it would not make any difference as to whether the voter list was revised after the finalization of the zones or before that. In this way, this Court is of the considered view that the present petition is also premature in this regard because the objections are still to be decided.

12. In view of the aforesaid facts and circumstances and in light of the mandatory provisions of Article 243ZK of the Constitution of India, this Court does not deem it fit and proper to intervene for the purpose of setting aside the impugned order dated 11.03.2026 (Annexure P-13).

13. Consequently, finding no merit in the present Civil Writ Petition, the same is hereby dismissed.

19.03.2026
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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