



CWP-13496-2026

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-13496-2026

Date of Decision: 04.05.2026

Kulwant Singh Sidhu**...Petitioner****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Ankur Mittal, Senior Advocate with
Ms. Kushaldeep Kaur, Advocate,
Ms. Ashna Singh, Advocate and
Ms. Sharvi Dadhwal, Advocate for the petitioner
Mr. Ishan Kaushal, Assistant Advocate General, Punjab
Ms. Praneet Kaur, Advocate for respondent No.4

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking quashing of Minutes of Meeting dated 19.04.2026 (Annexure P-13) and Resolution passed for conducting fresh elections of Management Committee as well as election notice dated 23.04.2026 (Annexure P-19). He is further seeking direction to respondent No. 2-Sub-Divisional Magistrate, S.A.S. Nagar (Mohali)-cum-Competent Authority (for short '**SDM**') to decide his complaints dated 20.04.2026 and 24.04.2026. He is also seeking direction to restrain respondent Nos.3 to 5 from acting upon aforesaid Minutes of Meeting.

2. As per pleadings, the petitioner is President of Homeland Heights Flat Owners Welfare Association which is registered under Punjab Apartment Ownership Act, 1995. It is governed by its Memorandum of Association and Bye-Laws which prescribe procedure for conducting



General Body Meetings, mandatory requirements of quorum, prior circulation of agenda and authentication of minutes by President. The Management Committee was elected on 06.04.2025 for two years. Serious financial irregularities were unearthed leading to complaints and initiation of legal proceedings. Pursuant to notice dated 30.04.2026, an Annual General Body Meeting was convened on 19.04.2026 which was disrupted by non-members and unruly elements. The meeting was adjourned. Despite adjournment, a group of persons continued proceedings and passed a resolution to conduct fresh elections. Thereafter, unauthorized Minutes of Meeting dated 19.04.2026 were circulated. Residents submitted various complaints including complaint dated 21.04.2026 before SDM. The elections were scheduled on 02.05.2026.

3. Learned Senior counsel appearing for the petitioner submits that respondents have conducted elections on 02.05.2026. The elections have been conducted contrary to Bye-Laws. As per declared schedule, elections were to be held on 10.05.2026, however, respondents in an arbitrary manner preponed and conducted the same on 02.05.2026. The petitioner has made representations to jurisdictional authority i.e. SDM but to no avail.

4. Learned counsel for private respondents submits that elections are over, thus, petition has rendered infructuous. The matter is before SDM for approval of elections.

5. Learned State counsel submits that SDM before approving elections would consider Bye-Laws as well as representations of the parties and thereafter take an appropriate decision. If necessary, the parties would be granted opportunity of personal hearing.

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6. Learned counsel for the petitioner as well as private respondents agree with the statement made by learned State counsel.

7. In the wake of statement of both sides, the petition stands disposed of.

8. The Court is sanguine that jurisdictional SDM would consider the matter and take an appropriate decision swiftly.

(JAGMOHAN BANSAL)
JUDGE

04.05.2026*Mohit Kumar*

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