

WP(C) 2568/2008
BEFORE
THE HON'BLE MR. JUSTICE B.K. SHARMA

Both the writ petitions pertain to the same matter. They have been heard together and are being disposed of by this common order.

The elected members of the Dimoria Gaon Panchayat Samabai Samiti Ltd have filed the writ petitions. While the petitioner in WP(C) No. 2568/2008 has been elected as the member, the petitioner in WP(C) No. 2420/2008 has been elected as the President. Their grievance is the delay in according the approval of the resolutions adopted in the Annual General Meeting (AGM) held on 18.5.2008.

As to the cause of delay, Ms. R. Chakraborty, learned Additional Sr. Govt. Advocate, Assam was requested to obtain instruction. She has been furnished with written instruction by the Assistant Registrar of Co-operative societies, Assam. As per the said written instruction, the approval of the proceeding of the AGM held on 18.5.2008 is pending because of the complaint filed by one Shri Mohan Pator and 55 others. By letter dated 28.5.2008, the Assistant Registrar of Co-operative Societies, Assam directed the Sr. Inspector/Auditor of the Co-operative Societies to complete the enquiry within three days. It is the further case of the petitioner in WP(C) No. 2568/2008 that some of the signatories to the complaint have withdrawn their complaint.

The AGM was held on 18.5.2008 and the enquiry was to be completed within three days. Even, after expiry of more than one month, the authorities are sitting over the matter and in the process the Samabai Samiti in question is not functioning. In the name of enquiry they cannot sit over the matter indefinitely.

In view of the above, both the writ petitions are disposed of directing the authorities to do the needful in accordance with law as expeditiously as possible but at any rate not later than 7.7.2008.

With the above direction, writ petitions are disposed of.