

WP(C) 780/2009

BEFORE

HON'BLE SMT JUSTICE ANIMA HAZARIKA

Heard Mr AM Barbhuiya, learned counsel appearing for the petitioner. Also heard Ms VL Singh, learned Addl. Sr. Govt. Advocate, Assam.

Considering the grievance raised in the writ petition and also as agreed to by the learned counsel appearing for the parties, this writ petition is disposed of at the motion stage itself.

The instant writ petition has been filed by the petitioner, who is a share holder and beneficiary of Narshingpur Co-operative Societies Ltd., Cachar, praying for issuing a writ of mandamus and/or a writ of certiorari and also praying for a direction to the respondents not to allow any more time to the respondent No.4 with a further direction to the respondent No.3 to conduct/ensure election by any departmental competent Officer within a stipulated time.

The petitioner's case, in brief, is that on 12.12.05, the Managing Committee of Narshingpur Co-operative Society, Cachar was elected headed by the respondent No.4 as Chairman which includes one Vice-Chairman and ten other executive members and the tenure of the said Managing Committee was expired on 31.3.08. But, no further election was held for constitution of the next Managing Committee of the society within the statutory period. Thereafter, vide order dated 5.6.08, a period of 90 days and vide order dated 3.9.08, a period of 180 days were granted to the respondent No.4, Chairman to conduct the election to form a new Managing Committee, but no election for constitution of the next Managing Committee is held. Respondent No.4 has again submitted an application before respondent No.3, i.e. Registrar, Co-operative Societies seeking some more time for holding the election of the said Society. Hence, the instant writ petition with the aforesaid prayer.

In view of the above, this writ petition is disposed of with a direction that the respondent No.3, Registrar of Co-operative Societies, Assam shall ensure holding of Annual General Meeting/Election through the responsible Officers of the department within a period of 90 (ninety) days, i.e. on or before 28th May, 2009. With the above direction, this writ petition stands disposed of. No costs.