



IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH
DATED THIS THE 28TH DAY OF JUNE, 2024
BEFORE
THE HON'BLE MR JUSTICE PRADEEP SINGH YERUR
WRIT PETITION NO.103382 OF 2024 (CS-EL/M)

BETWEEN:

THE HANAMASAGAR URBAN
CO-OPERATIVE BANK LTD.,
HANAMASAGAR, TQ: KUSHTAGI,
DIST: KOPPAL,
R/BY ITS CHIEF EXECUTIVE OFFICER.

... PETITIONER

(BY SRI SHIVARAJ P. MUDHOL AND
SRI SHIVANAND MALASHETTI, ADVOCATES)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF CO-OPERATION,
M.S. BUILDING, BENGALURU-580001.
2. THE STATE CO-OPERATIVE ELECTION AUTHORITY,
3RD FLOOR, A BLOCK SHANTI NAGAR,
TTMC BUILDING, BENGALURU-560002,
R/BY ITS COMMISSIONER.
3. THE DEPUTY COMMISSIONER, KOPPAL
AND ELECTION OFFICER,
KOPPAL DISTRICT CO-OPERATIVE
UNION LIMITED, KOPPAL, TQ: KOPPAL,
DIST: KOPPAL, PIN-583277.
4. THE RETURNING OFFICER,
KOPPAL DISTRICT CO-OPERATIVE
UNION LIMITED KOPPAL AND CO-OPERATIVE
SOCIETIES ASSISTANT REGISTRAR, KOPPAL,
TQ: KOPPAL, DIST: KOPPAL, PIN-583277.
5. KOPPAL DISTRICT CO-OPERATIVE
UNION LIMITED, KOPPAL, TQ: KOPPAL,

BHARATHI
H M


Digitally signed by BHARATHI
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Location: HIGH COURT OF
KARNATAKA DHARWAD
BENCH
Date: 2024.06.28 13:48:28
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DIST: KOPPAL, PIN-583277,
R/BY ITS CHIEF EXECUTIVE.

... RESPONDENTS

(BY SMT. GIRIJA S. HIREMATH, HCGP FOR R1;
SRI. AVINASH S. MALIPATIL, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA, PRAYING TO:

1) ISSUE WRIT IN THE NATURE OF CERTIORARI TO QUASH
THE IMPUGNED ORDER DATED 29/02/2024 IN APPEAL
NO.KAM/APPEAL/01/2023-24 PASSED BY THE 3RD RESPONDENT VIDE
ANNEXURE-E, BY ALLOWING THIS WRIT PETITION IN THE INTEREST
OF JUSTICE AND EQUITY.

2) ISSUE A WRIT IN THE NATURE OF MANDAMUS DIRECTING
THE RESPONDENTS NO.2 TO 5 TO ISSUE THE DELEGATES FORM TO
THE PETITIONER SOCIETY AND TO INCLUDE THE NAME OF THE
PETITIONER SOCIETY IN THE FINAL ELIGIBLE VOTER LIST AND
PERMIT THE PETITIONER SOCIETY THROUGH THEIR DELEGATES TO
CAST ITS RESPECTIVE VOTE AND CONTEST IN THE ELECTION TO
THE COMMITTEE OF THE MANAGEMENT OF THE 5TH RESPONDENT
SOCIETY SCHEDULED TO BE HELD ON 28/06/2024 AS PER THE
CALENDAR OF EVENTS DATED 07/06/2024 PUBLISHED BY THE 4TH
RESPONDENT VIDE ANNEXURE-A, IN THE INTEREST OF JUSTICE
AND EQUITY.

3) DIRECT THE RETURNING OFFICER TO DECLARE THE
ELECTION RESULTS AFTER COMPLETION OF THE ELECTION PROCESS
BY ALLOWING THIS WRIT PETITION IN THE INTEREST OF JUSTICE
AND EQUITY AND ETC.

THIS PETITION COMING ON FOR ORDERS THIS DAY, THE
COURT MADE THE FOLLOWING:



ORDER

Learned counsel Sri Avinash S. Malipatil appearing for respondent No.5-Society files a memo dated 28.06.2024 along with two documents.

2. Learned counsel submits that election to the respondent No.5-Society has been concluded as unopposed and in view of interim order passed by this Court on 19.06.2024, wherein this Court passed an order directing respondent No.4-Returning Officer to announce the result of election to the respondent No.5-Society with leave of this Court. Same will have to be now permitted to be declared. Hence, respondent No.4-Returning Officer shall declare the result of the election to the respondent No.5-Society held on 28.06.2024.

3. Petition would not survive for consideration. Hence, petition is disposed of.

Sd/-
JUDGE