

**Ravendra Dev Pandey Vs. the State of Madhya Pradesh**

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**Court :** Madhya Pradesh

**Decided On :** Jun-29-2012

**Appellant :** Ravendra Dev Pandey

**Respondent :** The State of Madhya Pradesh

**Advocate for Pet/Ap. :** Shri. Atulanand Awasthy

**Judgement :**

1 W.P.No.9266/2012 Ravendra Dev Pandey versus State of M.P.& ORS.29.06.2012 Heard Shri Atulanand Awasthy learned counsel for the petitioner, on the question of admission and interim relief.

The petitioner has filed this petition being aggrieved by order dated 18.5.2012 issued from the office of the Commissioner, Registrar Co-operative Societies, Rewa Division, Rewa, whereby he has directed the Joint Registrar, Co-operative and the Dy.

Registrar, Co-operative to conduct election in accordance with the programme, a copy of which has been filed as Annexure P-8.

It is submitted by the learned counsel for the petitioner that previously proceedings for conducting election of the Primary Marketing Co-operative Society, Singrauli was taken up, however on account of certain disputes, the election was stayed in view of the interim order passed by this Court in W.P No.8198/2007(PIL) which was ultimately dismissed as withdrawn with liberty to the petitioner therein to raise

a dispute under section 64(2)(v) of the M.P.Co-operative Societies Act, 1960.

It is submitted that the respondent authorities are not conducting elections of the Co-operative Society afresh instead of taking up proceedings under the old election programme 2 W.P.No.9266/2012 Ravendra Dev Pandey versus State of M.P.& ORS.from the stage it has been stayed, which is contrary to law and, therefore, the impugned order passed by the respondent no.4 and the consequent direction issued by the Dy.

Registrar, Co-operative Societies, Singrauli dated 2.6.2012 be quashed.

I have heard the learned counsel for the petitioner at length.

Apparently, the election for the Society concerned could not be held on account of the interim order passed by this Court and after dismissal of the petition the authorities are taking up fresh proceedings to conduct election of the Society.

In the circumstances, they are required to notify a fresh election programme and take up proceedings in accordance with the Act and the Rules, therefore, in such circumstances I do not find any fault with the order issued by the Registrar, Co-operative Societies notifying the election programme or the order passed by the Dy.

Registrar, Co-operative Societies implementing the same.

In the circumstances, the prayer of the petitioner to quash the aforesaid order and direct the respondent authorities to take up proceedings in accordance with and under the old election programme from the stage when it was stayed, cannot be accepted and is, accordingly, rejected as 3 W.P.No.9266/2012 Ravendra Dev Pandey versus State of M.P.& ORS.such a recouRs.is neither envisaged not permitted by law.

The petition, filed by the petitioner, being meritless is accordingly dismissed.

( R.S.JHA ) JUDGE mms/-

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