

Deodhar Vs. Parag and Ors.

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Court : Supreme Court of India

Decided On : Feb-29-2016

Judge : Kurian Joseph and Rohinton Fali Nariman

Appellant : Deodhar

Respondent : Parag and Ors.

Judgement :

NON-REPORTABLE IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION CIVIL APPEAL NO.1909 OF2016(Arising out of SLP (C) No.3402 of 2016) DEODHAR APPELLANT VERSUS PARAG & ORS. RESPONDENTS WITH CIVIL APPEAL NO.1911 OF2016(Arising out of SLP (C) No.3567 of 2016) WITH CIVIL APPEAL NO.1912 OF2016(Arising out of SLP (C) No.3987 of 2016)

JUDGMENT

KURIAN,J.

1. Leave granted.

2. The appellants are before this Court aggrieved by the order passed by the High Court, staying the declaration of election of Director of respondent No.3-Bank in General Category.

3. It is seen that the interim orders have been passed just two days prior to voting. We find it difficult to agree with the stand taken by the High Court that the result of election should not be declared. Whether the writ petitions could have been entertained at all is a larger question to be considered by the High Court.

4. Be that as it may, the impugned interim orders dated 08.01.2016 in W.P.No.67/2016, W.P. No.69/2016 and W.P. No.66/2016 passed by the High Court are, therefore, set aside. The Election Officer is directed to declare the results of the election which have been kept pending pursuant to the impugned order passed by the High Court, making it subject to the result of the final outcome of the writ petitions.

5. The appeals are allowed to the above extent with no order as to costs.
.....J.

[KURIAN JOSEPH].J.

[ROHINTON FALI NARIMAN]. NEW DELHI; FEBRUARY 29 2016

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