
(1984) 09 P&H CK 0048
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 620 of 1984

Harijan Tanner & Shoe-Maker Co-op. Industrial Society Ltd. APPELLANT
Vs
State of Punjab RESPONDENT

Date of Decision : 18-09-1984

Acts Referred:

Citation : (1985) 2 CurLJ 130 : (1985) ILR (P&H) 348 : (1985) PLJ 219 : (1985) RRR 462

Hon'ble Judges : I.S.Tiwana, J

Advocate : Mr. H.S. Mattewal, Advocate., Advocates for appearing Parties

Judgement

I.S. Tiwana, J. (Oral)

1. This petition relates to the election of a Director to the Board of Directors of Ferozepur Central Cooperative Bank Limited, Ferozepur, from Zone No. 8. The petitioner Societies who claim to be the members of the said Bank, contend that their names have been excluded from the "voters list" and thus they were wrongly being deprived of their right to contest as well as vote in the above noted election. As against this the case of the respondent authorities is that out of the petitioners, petitioners at Nos. 2, 4 and 5 are not primary members of the Bank and in the case of the remaining petitioners, there is only a misdescription of their names in the voters list and it was incumbent on these petitioners to get their names corrected before the date of filing of nominations, but since they have failed to do it, they cannot make any grouse on the basis of the above mentioned fact.

2. It is the conceded position that all the Industrial Cooperative Societies within the sphere of the Bank have been placed in Zone No. 8 as voters. Under which rule the voters concerned i.e., the petitioner Societies, were required to file objections to the voters list and in what manner the voters lists were actually prepared and published, the learned counsel for respondent No. 2, i.e., the Ferozepur Central Cooperative Bank Limited, is not in a position to make a reference. He, however, contends that this was so required by the executive

instructions issued by the Registrar. Again he is not in a position to refer to any such instruction, nor has he produced the same before me.

3. In the light of the above noted facts it is apparent that some of the petitioners have wrongly been excluded from the voters list prepared for the purposes of election of a Director to the Board of Directors from this Zone and have thus been deprived of their right to participate in the election. I thus allow this petition and direct that the zonal list of voters of Zone No. 8 should be prepared afresh keeping in view the observations of this Court in *The Batala Wood Works Industrial Cooperative Society Limited v. Registrar Cooperative Societies, Punjab*, 1978 PLJ 344. I, however, pass no order as to costs.