

(1999) 03 AHC CK 0026

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 11240 of 1999

Ram Karan Singh Yadav

APPELLANT

Vs

Registrar Sahkari Samitiya, U.P. and others

RESPONDENT

Date of Decision : 22-03-1999

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (1999) 3 AWC 2457

Hon'ble Judges : D.K. Seth, J

Bench : Single Bench

Advocate : Awadesh Kumar Malviya, for the Appellant;

Judgement

D.K. Seth, J.—The orders contained in Annexures-3, 5 and 6 to the writ petition have since been challenged by means of this writ petition filed by one Ram Karan Singh Yadav, who claims to be a member of the Managing Committee of a Co-operative Society. The petitioner alleges that respondent No. 5 is being allowed to work in terms of those orders. The said orders were issued by the District Assistant Registrar of Co-operative Societies. Ghazipur.

2. The Committee of Management of Sadhan Sahkari Simiti Limited Khajuanha, has not been made a party to this writ petition. The petitioner claims himself to be ex-Manager of the said co-operative society. The Committee of Management of the said society has not come forward. Learned counsel for the petitioner submits that at present the petitioner is a member of the said society. If a member raises dispute against a cooperative society, then in that event it can be raised in the manner as provided in the Co-operative Societies Act. It is not open to one of the members to take up the cause of the society when Committee of Management itself is there, and the same is not aggrieved or not coming forward to challenge the said orders. If each member is permitted to do so, in that event, there would be no purpose of constituting the Committee of Management. If such rights are permitted to the members, in that event, the management of the society would be at the mercy of the members and it will completely disturb the

whole scheme of Cooperative Societies Act and the purpose of electing a Committee of Management. Therefore, the petitioner as a member of the society, cannot claim locus standi to move this writ petition. The writ petition, therefore, fails and is accordingly dismissed.