

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).7745/2013

(From the judgement and order dated 06/11/2012 in LPAOW No.76/2012 of The HIGH COURT OF J & K AT JAMMU)

K.S. PADWAL & ORS.

Petitioner(s)

VERSUS

STATE OF J&K & ORS.

Respondent(s)

(With prayer for interim relief)

WITH S.L.P.(C) NO.8550 of 2013

(With prayer for interim relief and office report)

Date: 19/02/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Petitioner(s)

Mr. P.D. Sharma, AOR

SLP 8550/13

Mr. Ravi Gupta, Sr. Adv.
Mr. Rajneesh Chunni, Adv.
Mr. Ajay Mohan Gulati, Adv.
Mr. S.K. Verma, AOR

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Having heard learned counsel for the petitioners in both the matters, we are not inclined to entertain the same, since directions have already been given by the High Court for holding of elections for the Members of the Managing Committee of the Co-operative Society after reviewing the Rules relating to holding of the elections. However, as has been pointed out by learned counsel for the petitioners, such directions had been given by the High Court as far back as in the month of October, 2012, and, in fact, an Administrator had also been appointed in the month of August, 2012. Directions had been given to the Administrator to oversee the elections, but the same are not being held on account of the fact that according to the petitioners, the Rules are yet to be revised.

In such circumstances, while not interfering with the order passed by the High Court, we direct the Registrar of the Co-operative Society, Jammu & Kashmir, to ensure that the revision of the Rules for election of the Managing Committee of the various Co-operative Societies, is completed within a month from the date of the communication of this order. Consequently, the elections to the Managing Committee of the Co-operative Society in question, is to be completed within two months thereafter on the basis of the amended

Rules.

Any observations made in the impugned judgments of the High Court, shall be treated only as obiter and shall not be held against the petitioners in any way.

As far as the costs imposed are concerned, the same are reduced by 50 per cent.

The Special Leave Petitions are dismissed with the aforesaid observations.

|(Chetan Kumar)
|Court Master

| |(Juginder Kaur)
| |Assistant Registrar

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