



2026:CGHC:19262

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1997 of 2026

1 - Dalip Singh S/o Rudal Singh Aged About 64 Years R/o Ward No. 18, Manjhipara, Gram Charpara, Baikunthpur, District Koriya (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Cooperative Societies, Mahanadi Bhawan, Naya Raipur, District Raipur (C.G.)

2 - State Co-Operative Election Commission Through Its Secretary Raipur, District Raipur (C.G.)

3 - The Registrar Cooperative Societies, Atal Nagar, Raipur, District Raipur (C.G.)

4 - The Assistant Registrar Cooperative Society, Baikunthpur, District - Koriya (C.G.)

5 - The Collector Koriya, District Koriya (C.G.)

6 - The Joint Registrar Cooperative Societies, Koriya Division, District Koriya (C.G.)

7 - Gorelal Yadav S/o Shri Jagarnath Yadav R/o Village - Jharnapara, Baikunthpur, District Koriya (C.G.) (President Of Adim Jati Seva Sahkari Samiti Maryadit, Jharnapara) (Registration No. 202)

8 - Sarva Adiwasi Samaj District Koriya, Through Its President, Office Baikunthpur, Post Baikunthpur, District Koriya (C.G.) (Registration No. 4230)

... Respondents

(Cause-title taken from the Case Information System)



For Petitioner :- Mr. Punit Ruparel, Advocate
For State :- Mr. Soumitra Kesharwani, P.L.
For Respondent No. 2 :- Mr. Malay Shrivastava, Advocate

SB- Hon'ble Shri Justice Amitendra Kishore Prasad

Order On Board

27.04.2026

1. By way of the present writ petition, the petitioner has approached this Hon'ble Court invoking jurisdiction under Article 226 of the Constitution of India, being aggrieved by the action of the respondent authorities in appointing/nominating the President of Adim Jati Seva Sahkari Samiti Maryadit, Jharnapara, without conducting election, and further seeking direction for conducting election in accordance with law.
2. The case of the petitioner, in brief, is that he is a member of Sarva Adivasi Samaj, District Koriya and is also eligible and desirous of contesting election for the post of President of the concerned Cooperative Society. It is contended that vide order dated 14.11.2024, Respondent No. 4 initiated a process for appointment of President by inviting details, instead of conducting election as mandated under the provisions of the Chhattisgarh Cooperative Societies Act, 1960 and Rules, 1962. The petitioner submits that the post of President of the said society is required to be filled only through a democratic process by way of election conducted by the competent authority, i.e., the State Cooperative Election



Commission, and not by way of nomination. It is further the case of the petitioner that objections were raised by Sarva Adivasi Samaj before the Collector and other authorities, and even communications were issued from higher authorities for cancellation of such appointments. It is also brought on record that an enquiry report submitted by the Senior Cooperative Inspector has found Respondent No. 7 ineligible, recommending his removal from the post. Despite the aforesaid, no election has been conducted till date and the post continues to remain either irregularly filled or vacant, thereby compelling the petitioner to approach this Court.

3. Following reliefs have been prayed by way of this petition:-

“10.1 That the Hon'ble Court may kindly be pleased to set-aside/quash the appointment of the respondent NO. 7 on the post of President of Adim Jati Sahkari Samiti Maryadit, Jharnapara, Registration No. 202 (Annexure P-1) if not remove.

10.2 That the Hon'ble Court may kindly be pleased to direct the respondent no. 2 & 4 (other respondents) to conduct election for the post of President of Adim Jati Sewa Sahkari Samiti Maryadit, Jharnapara, Baikunthpur, District Koriya (C.G.).

10.3 That the Hon'ble Court may kindly be pleased to direct to conclude the pending proceeding of removal of respondent No. 7 on



the post of President of Adim Jati Sewa Sahkari Samiti Maryadit, Jharnapara within stipulated time.

10.4 Any other relief, which may deem fit, in the interest of justice.”

4. Learned counsel for the parties submit that the issue involved in the present writ petition is squarely covered by the order passed by this Hon'ble Court in W.P.(C) No. 5513 of 2025 decided on 17.10.2025, wherein it has been directed that Respondent No. 6 shall consider and decide the grievance in accordance with law, keeping in view the provisions of Section 49(8) of the Chhattisgarh Co-operative Societies Act, within an expeditious period.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Considering the limited grievance of the petitioner and the submissions advanced by learned counsel for the parties, it is directed that the petitioner shall also be at liberty to submit a fresh representation before Respondent No. 6 (Joint Registrar, Cooperative Societies, Koriya Division, District Koriya) within a period of two weeks from the date of receipt of a certified copy of this order.
7. Upon such representation being filed, Respondent No. 6 shall consider and decide the same, in accordance with law and keeping in view the provisions of Section 49(8) of the Chhattisgarh



Co-operative Societies Act, within an expeditious period, preferably within **90 days** from the date of receipt of such representation.

8. It is further directed that while deciding the representation, Respondent No. 6 shall afford due opportunity of hearing to all affected parties and pass a reasoned and speaking order.
9. It is made clear that this Court has not expressed any opinion on the merits of the case and the competent authority shall decide the matter independently in accordance with law.
10. With the aforesaid observations and directions, the writ petition stands **disposed of**.

sd/-

(Amitendra Kishore Prasad)
Judge

Vishakha