



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

**Writ Petition (M/S) No. 1941 of 2026**

Govind Singh Bisht ... Petitioner

Versus

State of Uttarakhand & Others ... Respondents

Mr. Ravindra Garia, Advocate, i/b Mr. D.S. Mehta, Advocate for the petitioner.

Mr. Yogesh Pandey, Deputy AG, for the State.

Mr. N.S. Pundir, Advocate, for the respondent no. 5 and 7.

Ms. Ruchika Negi, Advocate, i/b Mr. Sandeep Kothari, Advocate for the respondent no. 6.

**J U D G M E N T**

**Hon'ble Manoj Kumar Tiwari, J.**

Petitioner is member of a Primary Cooperative Society and he claims to be elected as Delegate to represent the society in the Electoral College constituted for holding election to reconstitute Committee of Management of a Central Society, namely, Nainital District Cooperative Bank Ltd. (hereinafter referred to as the 'Bank'). Petitioner is challenging order dated 9.6.2026, passed by Registrar, Cooperative Societies, Uttarakhand. By the said order, an officer of Cooperative Department holding the position of Joint Registrar, was appointed as Administrator to look after the affairs of the Bank. Perusal of said order indicates that the officer, who is now appointed as Administrator, will replace the Chief Development Officer, Nainital, as he is not able to



devote sufficient time to manage affairs of the Bank.

2. It is the contention of petitioner that term of the elected Committee of Management of the Bank came to an end on 10.12.2023 and Chief Development Officer, Nainital was appointed as Administrator, vide order dated 11.12.2023. Learned Counsel for the petitioner contends that in view of provision contained in Section 29(7) of Uttarakhand Cooperative Societies Act, Administrator cannot hold office beyond one year and six months from the date he is appointed. He further submits that Section 29(7) of the Act ordains that election for reconstituting Committee of Management has to be held within one and half years, which is a mandatory provision, therefore the impugned order, whereby another Administrator has been appointed after expiry of one and half years, is patently illegal. Learned Counsel for the petitioner also relies upon Section 35(3) and 35(7) of the aforesaid Act, which are extracted below:

*"35(3) Where the Registrar has superseded the Committee of Management under sub-section (1), he may appoint in its place, (for a period not exceeding six months) to be specified in the order of supersession:*

*(a) a new committee consisting of one or more members of the society;*

*(b) an administrator or administrators who need not necessarily be members of the society:*

*Provided that the Registrar may, with the previous approval of the State Government extend the period of supersession, so however, that any*



*single extension does not exceed six months and the total extension does not exceed one year:*

*Provided further that the committee or an administrator or administrators appointed (before the commencement of Uttarakhand Cooperative Societies Act 2003) shall be deemed to have been duly appointed and no action taken or power exercised or functions performed by it or him, as the case may be, shall be deemed to be invalid or shall be called in question in any court on the ground of any defect in its or his appointment as such or on the ground that the Committee of Management was not reconstituted within time or the period of supersession or the term its or his office was not duly extended.*

*35(7) The provisions of Section 29 shall apply in respect of reconstitution of the Committee of Management under this section."*

3. Per contra, learned State Counsel refers to Section 29(5)(b) and Section 114 of the aforesaid Act, which are extracted below:

*"29(5)(b) On or as soon as may be after the expiry of such term, the Registrar shall appoint an Administrator or a Committee of Administrators (hereinafter, in this section, referred to as the Committee) for the management of the affairs of the society until the reconstitution of the Committee of Management in accordance with the provisions of the Act, the rules and the bye-laws of the society, and the Registrar shall have the power to change the Administrator or, as the case may be, any member of the Committee or to appoint a Committee in place of an Administrator or vice versa from time to time.*

**114. Act of co-operative societies not be invalidated by certain defects.**—*No Act of a co-operative society or any Committee of Management or of any officer of a co-operative society shall be deemed to be invalid by reason only of the existence of any defect in the constitution of such society or committee or in the appointment or election of such an officer or on the*



*ground that such officer was disqualified for such appointment or election.*

4. Clause (a) of sub-section 5 of Section 29 of the Act provides that the Committee of Management of a Cooperative Society shall cease to exist immediately upon expiry of the term, for which it was elected. Clause (b) of sub-section 5 of Section 29, enables the Registrar to appoint an Administrator or a Committee of Administrators for managing the affairs of the society till reconstitution of the Committee of Management. It also enables the Registrar to change the Administrator or, as the case may be, any member of the Committee from time to time. There is no outer limit prescribed in Clause (b) of sub-section 5 of Section 29, as regards the term of the Administrator, and this provision indicates that Administrator appointed under Clause (b) of sub-section 5 shall continue to manage the affairs of the Society till the Committee of Management is re-elected as per the provisions of the Act and the Rules.

5. Learned Counsel for the petitioner relies upon sub-section (7) of Section 29 of the Act for contending that upon expiry of one and half years, Administrator cannot manage the affairs of the Society. However, careful perusal of sub-section (7) of Section 29, which is extracted below, does not support the contention raised by the petitioner, as it merely provides that the Administrator or the Committee appointed under sub-section (5) shall



arrange for reconstituting the Committee of Management within one year and six months of his/its appointment. However the consequence of not holding election within prescribed period of one and half years is not indicated in the statute. Sub-section (7) of Section 29 nowhere provides that the Administrator cannot manage the affairs of the Society beyond one and half years.

*"29(7) The Administrator or the Committee, as the case may be, appointed under sub-section (5), shall as soon as may be, but not later than the expiry of one year and six months from the date of appointment, arrange for the reconstitution of the Committee of Management in accordance with the provisions of the Act, the rules and the bye-laws of the society to take over the management of the society from the Administrator or the Committee, as the case may be;*

*Provided that where an Administrator is replaced by a Committee or a Committee by an Administrator as provided in clause (b) of sub-section (5), the period of one year and six months shall count from the date the Administrator or the Committee, as the case may be was originally appointed."*

6. Learned Counsel for the parties are unanimous on the point that the election schedule has been published and election process would commence on 3.8.2026.

7. The challenge thrown to the order dated 9.6.2026, based on sub-section (7) of Section 29 of the Act, cannot be sustained, as sub-section (7) of Section 29 nowhere restricts the power of Registrar, conferred by sub-section (5)(b) of Section 29, to appoint Administrator and sub-



section (5)(b) does not contain any limitation as regards duration.

8. Learned Counsel for the petitioner also referred to Section 35(3) and 35(7) of the Act. Section 35(3) has no application to the facts of the case, as it deals with a case where a Committee of Management is superseded by the Registrar. Section 35(7) of the Act also does not support the petitioner for challenging the impugned order, as it merely provides that provisions of Section 29 shall apply for reconstituting the Committee of Management.

9. For the aforesaid reasons, there is no scope for interference with the impugned order. Writ petition thus fails and is dismissed.

**(Manoj Kumar Tiwari, J.)**  
**8.7.2026**

Pr