

**IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA**

CWP No. 12294/2026

Decided on: 22.07.2026

Rajeev Ranta

...Petitioner

Versus

State of H.P. & Ors.

....Respondents

.....
Coram

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?¹

For the petitioner:

**Mr. Navneet K. Bhalla and Ms.
Chehak Khurana, Advocates.**

For the respondents:

**Mr. L.N. Sharma, Additional
Advocate General No.1 & 2.**

**Mr. Narender Sharma, Advocate
for respondent No.3.**

Jyotsna Rewal Dua, J.

Notice. Mr. L.N. Sharma, learned Additional Advocate General and Mr. Narender Sharma, learned counsel, accept notice on behalf of respondents No.1 & 2 and 3, respectively.

2. The matter was taken up in the morning session, when in light of grievance of the petitioner, learned Additional Advocate General for respondents No.1 & 2, as also learned counsel for respondent No.3, were directed to obtain instructions in the matter. Learned counsel appearing for the respondents have accordingly

¹ Whether reporters of the local papers may be allowed to see the judgment? yes

placed on record the respective instructions received from respondents No.1 & 2, as also from respondent No.3.

With the consent of learned counsel for the parties, the matter has been heard at this stage on the basis of the instructions so supplied by the respondents.

3. As per the case set up:- Respondent No.3–Baghat Urban Co-operative Bank filed a petition before the Arbitrator under Section 72 of the H.P. Co-operative Societies Act, 1968 (the Act, in short), claiming an amount of ₹7,79,06,338/- from the petitioner, being a defaulter in repayment of the loan amount; The Arbitrator passed the award on 06.01.2026, *inter alia*, holding that the petitioner shall deposit an amount of ₹1,00,35,000/- with respondent No.3 as a pre-condition for availing the One Time Settlement Scheme (OTS); The petitioner was also held entitled to settle the loan account under the OTS Scheme. Interest was directed to be calculated @ 11% per annum from July 2021, with the rider that, in case the petitioner failed to comply with the settlement under the OTS Scheme, respondent No.3 would be entitled to proceed for recovery of ₹7,08,33,944/- as arrears of land revenue.

4. The writ petition pleads that respondent No.2–Assistant Registrar-cum-Collector, Co-operative Societies, is acting as the Appellate Authority under Section 93 of the H.P. Co-operative

Societies Act, 1968. The petitioner has preferred an appeal under Section 93 of the Act before the Appellate Authority, i.e. respondent No.2. The said appeal is pending adjudication. Petitioner's grievance is that even before the decision of the appeal, respondent No.2, being notified as the Collector for the purposes of Chapter VI of the H.P. Land Revenue Act, 1954, is proceeding to enforce the award passed by the Arbitrator by recovering the awarded amount as arrears of land revenue and towards this exercise warrants of arrest have been issued by respondent No.2 on 14.07.2026 (Impugned herein)

Learned counsel for the petitioner submitted that while filing the appeal against the award, the petitioner had not specifically prayed for grant of any interim order. Considering the fact that the appeal was to be decided by respondent No.2, who was exercising dual authority, not only as the Appellate Authority under Section 93 of the Act but also as the Collector in discharge of his obligations under Chapter VI of the H.P. Land Revenue Act. Be that as it may.

Learned Additional Advocate General has placed on record office instructions dated 22.07.2026 from the Registrar, Co-operative Societies, conveying that the appeal filed by the petitioner has been fixed for hearing before the Appellate Authority on 23.07.2026. The said office instructions are based upon the office

communication dated 22.07.2026 from respondent No.2–Assistant Registrar-cum-Collector, Co-operative Societies, Solan, *inter alia*, conveying that the next date of hearing of petitioner's appeal has been fixed for 23.07.2026 and that the final order would be passed within a week after hearing.

Taking note of office instructions dated 22.07.2026 from the Registrar, Co-operative Societies, Himachal Pradesh, as also the office letter dated 22.07.2026 received from respondent No.3, this writ petition is disposed of with the direction that respondent No.2 shall make earnest efforts to decide the appeal preferred by the petitioner as expeditiously as possible, preferably within two weeks from today. Till the decision of the appeal, the impugned warrant of arrest dated 14.07.2026 (Annexure P-5), issued by respondent No.2 on the basis of the very award against which the statutory appeal is pending adjudication before respondent No.2, shall not be given effect to.

With above directions, the instant petition to stand disposed of. Pending miscellaneous applications, if any, also stand disposed of.

Jyotsna Rewal Dua
Judge

22nd July, 2026_(rohit)