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IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

(C.G.)

WRIT PETITION (227) NO. 438 OF 2014

Single Bench

PETITIONER

Non-applicant No. 3

Dharam Das Mahilang, S/o late
Shri Raruha Mahilang, aged
about 65 years, R/o village and
Post Joba, Police Station
Tumgaon, Civil and Revenue
District Mahasamund (C.G.)

R. No. 438/14

Presented by Shri P. P. Sam

dated 21/6/14

VERSUS

RESPONDENTS

Applicant

1. Gramin Seva Sahkari Samiti
Maryadit, Acchola, Registration
No. 1018, Through: Ashish
Diwan, President - Gramin Seva
Sahkari Samiti Maryadit, Acchola,
Police Station Tumgaon, Civil and
Revenue District Mahasamund
(C.G.)
2. Joint Registrar,
Cooperative Societies, Raipur
(C.G.)
Deputy
3. Sub-Registrar,
Cooperative Society Mahasamund
(C.G.)
4. Sanjay Manoj Lal, Senior
Cooperative Inspector, Office of
Sub-Registrar, Cooperative
Society, Mahasamund (C.G.)

Attested
4/3/15
ARCT

Amended after
with the permission
of Hon' High Court
rule order dt 4/3/15

PPS
4/3/15



WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF
INDIA



उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

समाप्त क्रमांक

MP(222) 438/14

सन् 20

विरुद्ध

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी सेशन जज के अतिरिक्त आदेश
23.3.2015:-	Shri PP Sahu, counsel for the petitioner. Shri Govind Dewangan, counsel for the respondents. Heard. This petition is directed against the order dated 20.5.2014 passed by the Joint Registrar, Cooperative Societies, Raipur. Admittedly, the State Government has made amendment in the provisions contained under Section 78 of the CG Cooperative Societies Act, 1960 (henceforth 'the Act') making the order passed by the Joint Registrar appealable before the Cooperative Tribunal under Section 78(2) of the Act. The said amendment came into effect from 13.2.2013 and the Tribunal was constituted on 27.5.2014. Thus, on the date of filing of the present writ petition, alternative remedy was available to the petitioner. In view of the above, the writ petition is disposed of with an observation that in the event the petitioner prefers duly constituted appeal before the Tribunal within a period of one month from today, the Tribunal shall consider and decide the same on merits. Till the matter remains pending before the Tribunal, interim order passed by this Court shall remain in operation. Certified copy of the impugned order be returned to counsel for the petitioner on supplying Xerox copy thereof.	Sd/- Prashant Kumar Mishra Judge

Barve