

The Manimajra Cooperative Marketing-cum- Processing Society Ltd.

Versus

Deputy Commissioner-cum-Registrar Co-operative Societies Chandigarh and another

Present: Mr. Ashwani Prashar, Advocate
for the petitioner.

Mr. Shekhar Verma, Advocate with
Mr. Dushyant Sarvesh, Advocate
for respondents No. 1 and 2.

The controversy involved in this case started with the show cause notice dated 14.08.2015, purported to have been served by the Registrar, Cooperative Societies, U.T., Chandigarh upon the Petitioner/Society on account of alleged illegal appointment of Udham Singh as Manager against the provisions of the bye laws.

The petitioner replied to the show cause notice but before the Registrar could have taken the decision, two orders dated 26.08.2015 were passed by him by which operation of saving Bank Account of the Petitioner/Society maintained in Sector 26 Branch, Chandigarh and cash credit limit with the State Cooperative Bank, Sector 22, Chandigarh were ordered to be stopped with immediate effect. The petitioner has thus, challenged not only the show notice but also order dated 26.08.2015 by which their bank accounts have been frozen.

At the time of notice of motion, operation of the impugned order(s) were stayed.

I have heard both the learned counsel for the parties at some length and came to the conclusion that there is no order before this Court passed by the Registrar, Cooperative Societies, U.T., Chandigarh. Thus, the present petition is pre-mature.

The Registrar, Cooperative Societies, U.T., Chandigarh who had issued show cause notice on 14.08.2015, to which reply has also been filed by the petitioner (Annexure P-11), shall take a decision on the show cause notice, considering the reply as well as other additional arguments (if any) raised by the Society through its advocate.

Parties are directed to appear before the Registrar, Cooperative Societies, U.T., Chandigarh on 24.12.2015, who is directed to decide the matter pending before him within 15 days thereafter. Till then, the order of stay passed by this Court shall remain in operation.

21st December, 2015
Shivani Kaushik

[Rakesh Kumar Jain]
Judge