

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CWP-24957-2014 (O&M)  
Date of decision : 07.07.2015

The Vivek Co-operative House Building Society Ltd.

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. N.C. Kinra, Advocate,  
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. N.K. Malhotra, Advocate,  
for respondent No.3.

**JITENDRA CHAUHAN, J.**

By way of the present writ petition filed under Articles 226/227 of the Constitution of India, the petitioner seeks quashing of order dated 09.10.2014 (Annexure P-6), passed by respondent No.2, whereby, resolution Nos.3 and 4, dated 24.12.2006, passed by the petitioner-Society, have been rescinded/cancelled.

Mr. N.K. Malhotra, Advocate, seeks permission to withdraw his power of attorney. The prayer is allowed.

At the very outset, the learned State counsel submits that an efficacious alternate remedy is available to the petitioner. Against the impugned order (Annexure P-6), passed by respondent No.2-Deputy Registrar, the appeal lies before the Registrar, Cooperative Societies,

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Haryana, under Section 114(2) of the Haryana Cooperative Societies Act, 1984.

Considering the fact that there is efficacious alternate remedy available to the petitioner, the petitioner is relegated to avail the same. However, keeping in view the fact that the petitioner has moved this petition before this Court within the period of limitation, the case of the petitioner must not suffer due to the advice tendered by the counsel or that he had been litigating before the wrong forum.

In the circumstances, the Registrar, Cooperative Societies shall not raise the question of limitation, in case, the petitioner prefers an appeal before him, as above, within a period of two months from the date of receipt of a certified copy of this order.

Disposed of.

**07.07.2015**  
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**(JITENDRA CHAUHAN)**  
**JUDGE**