

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

CWP No. 7203 of 2015 (O&M)

Date of decision: 28.04.2015

Lajja Devi

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sushil Saini, Advocate for the petitioner.

Jitendra Chauhan, J. (Oral)

By way of the instant writ petition, under Articles 226/227 of the Constitution of India, the petitioner seeks quashing of the impugned order dated 28.10.2014 (Annexure P-8), passed by the respondent No.1, order dated 18.12.2012 (Annexure P-1) and order dated 10.03.2015 (Annexure P-9), passed by the respondent No.2, whereby the land of the petitioner has been ordered to be auctioned.

It is contended that the husband of the petitioner was working as Secretary in the Chandresar Cooperative Agricultural Service Society Ltd. Certain awards were passed against the husband of the petitioner and the land measuring 103 kanals 6 marlas was

attached in execution of the Awards for an amount of Rs. 11.86 lacs, out of which Rs. 7,73,760/- had already been deposited by the husband of the petitioner. The petitioner is neither an employee nor the member of the society. No award has been passed against the petitioner, however, the land of the petitioner has been attached in execution of the awards. The learned counsel refers to Rule 72 of the Punjab Cooperative Societies Rules, 1963 and states that no opportunity of hearing was given to the petitioner, which is clear cut violation of above said Rule. The learned counsel has placed on record the true copy of receipt of Rs. 2,50,000/- and states that the remaining amount will be deposited in due course of time.

Heard.

The husband of the petitioner being Secretary of the Society had embezzled the public money. Admittedly, the awards were passed against the husband of the petitioner, however, the land in dispute was purchased by her husband in her name out of the embezzled amount. The husband of the petitioner had signed on her behalf on the sale deeds. The impugned orders have rightly been passed by the authorities and finding no merit in the instant petition, the same is dismissed as such.

28.04.2015

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(JITENDRA CHAUHAN)
JUDGE

