

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.

Date of decision: 13.8.2015

(I) CWP No. 9646 of 2013

Surjeet Singh

... Petitioner

vs

Joint Registrar (Planning), Cooperative Societies, Punjab , Chandigarh,
and others

... Respondents

(II) CWP No. 9811 of 2013

Surjeet Singh

... Petitioner

vs

Joint Registrar (Planning), Cooperative Societies, Punjab , Chandigarh,
and others

... Respondents

(III) CWP No. 9812 of 2013

Surjeet Singh

... Petitioner

vs

Joint Registrar (Planning), Cooperative Societies, Punjab , Chandigarh,
and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Akshay Bhan, Sr.Advocate, with
Mr.Santosh Sharma, Advocate,
for the petitioner
Mr.Ashwani Prashar, Advocate,
for respondents No.4 and 15
Mr.Anupam Bhardwaj, Advocate,
for respondent No.14

...

AMOL RATTAN SINGH, J. (Oral)

Mr.Ashwani Prashar, learned counsel for respondents No.4 and 15, has relied upon a Division judgment of this Court, dated 14.8.1995, in CWP No.11744 of 1995 (Kartar Singh vs. Punjab State etc.), as also a judgment of the Supreme Court in Ishwar Singh vs. State of Rajasthan and others, 2005(1) SCT 525, wherein, while considering a pari materia provision of the Rajasthan Cooperative Societies Act, 1965, with regard to the maintainability of a second revision petition before the Government, after the Joint Registrar purportedly in exercise of the revisional powers conferred upon the Registrar, had entertained the “first revision petition”, it has been held that a second revision petition would lie to the Government where the first revision petition has been entertained by an authority subordinate to the Registrar, as a delegatee of the Registrar.

Whereas, obviously, once the issue has been settled that a second revision petition would lie, though it is not mandated anywhere in either of the judgments that it shall lie, the question only is if an alternative remedy available, of a second revision petition, (as opposed to a “first revision petition”), must necessarily be availed of by the petitioner, before approaching this Court under Article 226.

Without going into that issue, since a second revision petition has been held to be maintainable, these petitions are remitted to the Government for consideration, in exercise of powers conferred

under Section 69 of the Punjab Cooperative Societies Act, 1961.

The parties would appear before the competent authority,
i.e. the Government, on 1.9.2015.

13.8.2015
pk

(AMOL RATTAN SINGH)
JUDGE