

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

CWP No.7922 of 2015 (O&M)
Date of Decision: 01.12.2015

Jasvir Singh and another

. . . .Petitioners

Versus

Secretary Co-operation Department of Cooperative Society and
others

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.J.S. Thind, Advocate,
for the petitioners.

Mr.Vikas Bali, Advocate,
for the Chandigarh Administration.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioners have challenged the order dated 7.1.2015 passed by respondent No.2 and 31.1.2015 passed by respondent No.1 respectively.

Shorn of unnecessary details, the respondent No.2, vide his order dated 7.1.2015, removed the Managing Committee of Nirvana Coop. H/B, 1st Society Ltd., Sector 49-B, Chandigarh and appointed Krishan Kumar, Inspector Grade-II (G) as an Administrator of the society for a period of three months. He was also directed to take over the entire record from the management and conduct the fresh election of the society. This order was challenged by way of an appeal under Section 68 of the Punjab Cooperative Society Act, 1961 [applicable in UT] which was

dismissed by the Secretary Cooperation, Union Territory, Chandigarh vide his order dated 30.1.2015.

Learned counsel for the petitioner has vehemently argued that the order dated 30.1.2015 is totally non-speaking and is in violation of the principle of natural justice as the respondent No.1 has not recorded any reasons in the impugned order as to why he is not agreeing with the contention raised by them.

Learned counsel for the respondents has failed to support the order of respondent No.1 and in view thereof, the present petition is hereby allowed, order dated 30.1.2015 is quashed/set aside and the matter is remanded back to respondent No.1 to decide the appeal afresh, in accordance with law, by giving reasons in his order.

Parties are directed to appear before respondent No.1 on 4.12.2015 at 11:00 A.M. The petitioners may file an application for stay, which shall be decided by respondent No.1 on the same day while hearing of the appeal. He is further directed to decide the appeal within a period of seven days thereafter.

01.12.2015

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**