

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

CWP No.1346 of 2016

Date of Decision :22.1.2016

Ashok Sood and another

....Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present: Mr. Abhishek Arora, Advocate
for the petitioners.

.....

MAHESH GROVER.J.

The petitioners are aggrieved of the orders Annexures P-3 and P-5 whereby their claim for transfer of shares on the basis of inheritance has been dismissed.

The Registrar, Cooperative Societies observed that the record of the Society has been lost. Apart from that it has been noticed that the petitioners failed to produce any Will or succession certificate inspite of being affording repeated opportunities. As per the admitted claim of the petitioners they have received their shares and the dispute is regarding the shares in the names of their parents. The Society has been subjected to liquidation and the audit party prepared the list of the members wherein the names of the parents of the petitioners were not mentioned.

In view of the above, it is very difficult to appreciate the case of the petitioners. In writ jurisdiction the court would have obvious constraints in dealing with the issues that have been raised i.e. the question of the petitioners' succession and claim to the shares of their parents whose names do not find mention in the list of the audit party prepared in 2007. Besides the claim has been raised belatedly and the record of the society is not available. This would require the petitioners to prove their claim on the basis of verifiable material.

Consequently, the petition is dismissed leaving the petitioner to their remedies in law.

22.1.2016
dss

(MAHESH GROVER)
JUDGE