

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

**CWP No.23301 of 2016
Date of decision: 10.11.2016**

Prem Chand Dalal

... Petitioner

Vs.

Registrar, Cooperative Societies, Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. S.S. Dalal, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Feeling aggrieved against the impugned show cause notice dated 28.10.2016 (Annexure P-6), petitioner has approached this Court, by way of present writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of certiorari, for quashing the impugned show cause notice.

It is a matter of record that petitioner has already submitted his reply to the impugned show cause notice dated 28.10.2016, on 03.11.2016 (wrongly typed as 03.11.2015 at page 38 of the paper book), Annexure P-7. It is also not in dispute that after submission of reply by the petitioner to the abovesaid show cause notice, competent authority has not passed any appropriate order so far. In such a situation, instant writ petition is premature on the face of it.

Faced with the above, learned counsel for the petitioner fairly states that Deputy Registrar, Cooperative Societies, Gurgaon-respondent No.2

may be directed to pass an appropriate order, after due consideration of the reply filed by the petitioner vide Annexure P-7, in accordance with law. This submission made by learned counsel for the petitioner has been found worth acceptance.

After hearing the learned counsel for the petitioner and going through the record of the case, present writ petition is disposed of, with a direction to Deputy Registrar, Cooperative Societies, Gurgaon-respondent No.2 to consider the reply furnished by the petitioner vide Annexure P-7 to the abovesaid impugned show cause notice dated 28.10.2016 (Annexure P-6). Petitioner shall be granted an opportunity of being heard and thereafter, an appropriate order shall be passed by respondent No.2, strictly in accordance with law.

Keeping in view the peculiar facts and circumstances of the case noticed hereinabove and also to ensure that no undue hardship or serious prejudice is caused to the petitioner, it is directed that if respondent No.2 finally decides against the petitioner, said order shall remain in abeyance for a period of three weeks, so as to enable the petitioner to challenge the said order before the appropriate forum, in accordance with law.

With the abovesaid observations made and directions issued, instant writ petition stands disposed of.

[RAMESHWAR SINGH MALIK]
JUDGE

10.11.2016
vishnu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No