

CWP No.352 of 2015;
CWP No.413 of 2015;
CWP No.451 of 2015 &
CWP No.455 of 2015

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

Date of decision: 31.05.2016

CWP No.352 of 2015

Sham Lal ...Petitioner

Vs.

The Punjab State Cooperative Bank Ltd. & others ...Respondents

CWP No.413 of 2015

Raj Kumar ...Petitioner

Vs.

The Punjab State Cooperative Bank Ltd. & others ...Respondents

CWP No.451 of 2015

Balbir Singh ...Petitioner

Vs.

The Punjab State Cooperative Bank Ltd. & others ...Respondents

CWP No.455 of 2015

Manohar Lal ...Petitioner

Vs.

The Punjab State Cooperative Bank Ltd. & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: M/s Inderjit Sharma & Karan Choudhary, Advocates,
for the petitioner(s).

Mr. Pardeep Singh Bajwa, Advocate,
for respondents No.1 to 4.

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CWP No.455 of 2015

1. *To be referred to the Reporters or not?*
2. *Whether the judgment should be reported in the Digest?*

RAJIV NARAIN RAINA, J. (ORAL)

This order will dispose of the above mentioned three writ petitions, as common questions of law and fact are involved in them, which can conveniently be decided by a common order.

A preliminary objection has been taken in the written statement that a writ petition does not lie against respondents No.1 to 4 since the State has no direct or indirect control over the affairs of the respondent cooperative society. The State is not a major shareholder in the cooperative society, which is a private body registered under the provisions of the Punjab Cooperative Societies Act, 1961.

Mr. Pardeep Singh Bajwa, the learned counsel appearing on behalf of respondents no.1 to 4, presses the preliminary objection by citing the decision of the Supreme Court in S.S.Rana Vs. Registrar, Cooperative Societies & another, (2006) 11 SCC 634. He would refer to paras.8 & 11 of the judgment which render the writ petition(s) not maintainable. The remedy, if any, does not lie in the writ jurisdiction but elsewhere.

As a result, all the writ petitions are dismissed for want of maintainability with liberty to the petitioner(s) to pursue his/their remedy before the appropriate forum. The dismissal of these writ petitions will not preclude the petitioner(s) from seeking his/their legal remedies outside the jurisdiction of the writ Court in the appropriate forum.

31.05.2016
Vimal

[RAJIV NARAIN RAINA]
JUDGE