

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.18805 of 2013
Date of Decision.27.04.2017

Harchand Singh (Accountant)Petitioner

Vs

Assistant Registrar, Cooperative Societies, Kharar and others
.....Respondents

2. CWP No.18713 of 2013

Harchand Singh (Accountant)Petitioner

Vs

Assistant Registrar, Cooperative Societies, Kharar and others
.....Respondents

Present: Ms. Jagdeep Bains, Advocate
for the petitioner.

Mr. Yatinder Sharma, Addl. A.G., Punjab.

Mr. Harit Sharma, Advocate
for respondent No.3.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

This order of mine shall dispose of two writ petitions. The challenge in the writ petitions is to the order dated 10.04.2013 (Annexure P-13) rendered by respondent No.2-Assistant Registrar, Cooperative Societies, Kharar, District S.A.S. Nagar, while exercising the power under Section 55 of the Punjab Cooperative Societies Act, 1961. Concededly, the aforementioned order is assailable under Section 68 of the aforementioned Act.

The contention of Ms. Jagdeep Bains, learned counsel appearing for the petitioner is that while passing the impugned order, memo of party is of prior matter, as the aforementioned order came to be passed on

remand.

Be that as it may. The petitioner, in my view, shall be entitled to take all possible objections with regard to conduct of proceedings held by respondent No.2, while exercising the powers under Section 55 but the fact remains that it is appealable under Section 68.

At this stage, Ms. Jagdeep Bains seeks liberty of this Court to avail the remedy, provided the objection of limitation is not taken. The aforementioned prayer is not opposed by Mr. Harit Sharma. In case, the appeal is preferred against the order dated 10.04.2013 within a period of one month from today, there shall be no objection qua limitation, in essence, period spent herein in the litigation, shall be deemed to be condoned and the appeal shall be construed to have been filed within a period of limitation.

With the aforementioned direction, the writ petition stands disposed of.

(AMIT RAWAL)
JUDGE

April 27, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No