

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

**CWP No.12786 of 2017 (O&M)
Date of Decision: 16.08.2017**

Private Teachers Co-operative House Building First Society and another

....Petitioners

Vs.

Chandigarh Administration and others

....Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Ms.Adrija Das, Advocate, for
Mr.Amar Vivek, Advocate,
for the petitioners.

Mr.Vikas Bali, Advocate, for
for the respondents.

Mr.Kamal K. Sharma, Advocate,
for the applicant/respondent No.4.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed by the Private Teachers Co-operative House Building First Society along with a member of the *ad hoc* committee for issuance of a writ in the nature of mandamus in order to direct the official respondents to nominate an independent observer/representative to oversee the holding of the General Body Meeting of the Society.

After issuance of notice of motion, an application bearing CM No.8814 of 2017 has been filed under Order 1 Rule 10 of the CPC to implead the Secretary of petitioner No.1-Society as a party. The applicant has also made the same prayer during the course of hearing for holding of the General Body Meeting.

Learned counsel appearing on behalf of the official respondents has submitted that if a direction is issued by this Court to the Registrar Cooperative Society/respondent No.2 then the meeting would be held.

Be that as it may, learned counsel for the petitioners has also brought to my notice that it is provided in Clause VII of Appendix B of the Punjab Cooperative Societies Rules, 1963 as applicable to UT, Chandigarh that the General Body Meeting can be called by the Registrar or any person authorized by him in writing in such manner and at such time and place as may be directed by him.

Since, counsel for the petitioners and applicant are *ad idem* that the meeting should be held and the counsel for the Union Territory, Chandigarh is also not averse for holding the meeting, therefore, the present petition is hereby disposed of with a direction to the Registrar Cooperative Societies, who is arrayed as respondent No.2, to initiate the process of nominating the independent observer to oversee the holding of the General Body Meeting of the Society/petitioner No.1 as early as possible, preferably within a period of one month.

16.08.2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*