

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

CWP No.4933 of 2017 (O&M)

Date of decision:10.03.2017

Hisar D.N.College Staff Cooperative Society Ltd.
and others

... Petitioners

Vs.

Additional Chief Secretary to Government of Haryana
and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. A.K.Khubbar, Advocate
for the petitioners.

AMIT RAWAL J. (Oral)

Challenge in the present writ petition is to the impugned order dated 09.06.2016 (Annexure P-15), rendered by the Additional Chief Secretary to Government Haryana, Cooperation Department, whereby, revision petition bearing No.31 of 2003 titled as Hisar D.N. College Staff Cooperative Society Ltd. Hisar and others vs. Assistant Registrar, Co-operative Societies, Hisar, has been dismissed.

Mr. A.K.Khubbar, learned counsel appearing on behalf of the petitioners submits that in pursuance to the show-cause-notice being issued under Section 13 of the Haryana Cooperative Societies Act, 1984 (hereinafter referred to as "1984 Act"), a proposal for compulsory amalgamation of Hisar National Cooperative House Building Society Limited, Hisar, was moved but the same, vide order dated 19.02.2003 was

objected to, resulting into passing the order of amalgamation. The aforesaid order was assailed by filing a revision petition which was on 26.07.2006 (Annexure P-12) dismissed in default. The application under Order 9 Rule 4 of Code of Civil Procedure for restoration of the revision petition was filed which on 19.12.2013 (Annexure P-13) resulted into dismissal. The petitioner has chosen to file revision petition bearing No.1682 of 2014 challenging the order dated 19.12.2013 before this Court and the same was vide order dated 07.12.2015 allowed. It is in this backdrop of the matter, revision petition has now been dismissed, vide order dated 09.06.2016. He further submits that the objections have not been considered on comparison of the previous order. There has to be application of mind, much less objective appreciation of the objections.

I have heard learned counsel for the petitioner and appraised the paper book.

This Court called upon to Mr.Khubbar to point out what serious prejudice would have been caused as the order of amalgamation has been passed way back on 19.02.2003 and there was no interim stay, much less nothing has been placed on record to substantiate the aforementioned query. In my view, once the amalgamation is continuing, filing of revision petition is nothing but a luxury litigation. There has to be some cogent reasons for challenging the order of amalgamation. I am of the view that there is no illegality and perversity in the order under challenge, much less do not call for any interference and does not fall within the doctrine akin to judicial review.

Accordingly, the revision petition stands dismissed.

(AMIT RAWAL)
JUDGE

March 10, 2017
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No