

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

CWP No.6635 of 2017

Date of Decision.30.03.2017

Daljit Singh

.....Petitioner

Vs

State of Punjab and others

.....Respondents

Present: Mr. Hemender Goswami, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

Learned counsel for the petitioner confines his prayer only to prayer No.(iii-a) i.e. for appropriate direction to respondent No.3 for deciding the execution application pending before it in pursuance of the following finding rendered in the Award, which according to him, has attained finality:-

“Therefore, I being arbitrator, direct that the recovery of ₹50,000/- along with interest at the rate of 8.50% per annum be made by the society from Sh. Jasvir Singh, Society Secretary and be deposited in the society account and then be given to Sh. Daljit Singh s/o Bhagwant Singh, 211-R, with interest, after deducting summon and saving. In case, the amount is not recovered from Sh. Jasvir Singh in normal course then the society will have right to recover the amount by putting to auction his movable/immovable properties or by way of detention. This decision has been pronounced today on 11.09.2008 in the absence of second party and in the presence of the second party Daljit Singh s/o Bhagwant Singh, 211-R,

member and ex parte.”

I have heard learned counsel for the petitioner and appraised the paper book and of the view that once the Award has been pronounced in favour of the society, the society had not taken steps despite being served legal notice to recover the amount. But as far as the grievance of the petitioner is concerned, the execution application under Section 63 of the Punjab Cooperative Societies Act, 1961 has been filed but no action has been taken thereon. The 3rd respondent-Assistant Registrar, Cooperative Societies (Ludhiana West) is directed to decide the execution application of the petitioner as expeditiously as possible within a period of six months from the date of receipt of certified copy of this order in accordance with law.

The writ petition stands disposed of with the above direction.

(AMIT RAWAL)
JUDGE

March 30, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No