

(1)

CWP-15811-2018 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15811-2018 (O&M)

Date of Decision: 11th July, 2018

Sat Parkash @ Sat Pal

...Petitioner

Versus

The Registrar, Cooperative Societies, Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Kuldip Singh, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-9379-CWP-2018

Application is allowed.

Annexure P-7 is taken on record, subject to all just exceptions.

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Petitioner has approached this Court with a grievance that his petition, which has been preferred under Section 3 read with Section 28 of the Haryana Cooperative Societies Act, 1984 (hereinafter referred to as '1984 Act') is not being heard and no date has been fixed therein.

Counsel for the petitioner contends that the term of The Ballabgarh Cooperative Marketing Society Limited-respondent No.4 has expired on 23.08.2016. He states so on the basis of the information received by him under the Right to Information Act, 2005, as supplied by the State Public Information Officer-cum-Assistant Registrar, Cooperative Societies, Faridabad, on 02.01.2018, which has been supplied to him on

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08.01.2018 (Annexure P-1). He contends that even after the expiry of the term of said society, the Administrator has not been appointed and the Managing Committee of the society is still continuing and taking decisions on behalf of the cooperative society which is not permissible under the law as is apparent from the provisions of Section 28 of the 1984 Act. He, at this stage, submits that the Registrar, Cooperative Societies, is under transfer and that is the reason why the petition which has been preferred by him is not being decided. He also states that the Administrator was appointed for a limited period of six months prior thereto and thereafter, even after the expiry of the term of Administrator, the old Committee is continuing.

Mr. Ravi Pratap, Asstt. Advocate General, Haryana, has received instructions in this regard and has informed the Court that Mr. Sanjeev Verma, Director, Food and Supply, Haryana, has been given the additional charge of the post of Registrar, Cooperative Societies, Haryana.

In view of the above, without commenting upon the merits of the case, the present petition is disposed of with directions to the Registrar, Cooperative Societies, Haryana-respondent No.1 to consider the petition as submitted by the petitioner dated 21.06.2018 (Annexure P-6) after fixing the same at an early date and proceed further in accordance with law.

(AUGUSTINE GEORGE MASIH)
JUDGE

11th July, 2018

Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No