

CWP-23372-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-23372-2018

Date of Decision: 13th September, 2018

The Punjab State Cooperative Supply and Marketing Federation Ltd.

...Petitioner

Versus

Bhajan Singh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Ms. Reeta Kohli, Senior Advocate with
Ms. Mankush Jakhar, Advocate
for the petitioner.

AUGUSTINE GEORGE MASI, J. (ORAL)

Petitioner has approached this Court challenging the order dated 07.02.2014 passed by the Assistant Registrar, Cooperative Societies, Sangrur-respondent No.5, vide which, reference case for recovery of loan of ₹ 3,83,736/- preferred by the petitioner against respondent No.1-Bhajan Singh was dismissed, appeal against which was dismissed vide order dated 08.09.2015 passed by the Deputy Registrar, Cooperative Societies, Sangrur-respondent No.4, followed by the dismissal of the second appeal as well as the revision by the second Appellate Authority and the Revisional Authority vide orders dated 25.07.2016 and 28.03.2018 (Annexures P-3 and P-4 respectively) on the ground of limitation.

It is the contention of the learned senior counsel for the petitioner that the money, which is involved in the case, is a public money and therefore, mere on technicalities, dismissal of the first appeal followed

by the second appeal and the revision on the simple question of limitation is not sustainable. She, however, could not dispute the fact that the authorities which have passed the orders are based upon the provisions of Section 68 of the Punjab Cooperative Societies Act, which fixes a limitation for filing an appeal and admittedly, the matter, which was a subject matter of appeal and thereafter, the second appeal followed by the revision, was beyond limitation.

Having considered the submissions made by the learned senior counsel for the petitioner and on going through the provisions of the statute, there being a specific limitation provided under the statute which period to be adhered to and there has been no power with the Appellate or the Revisional Authority to condone the delay, therefore, the orders as passed by the authorities below, which have been challenged in the present writ petition, cannot be said to be not in consonance with law, which would call for any interference by this Court.

In view of the above, the present writ petition stands dismissed.

13th September, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

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