

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

**CWP No.4659 OF 2016
DECIDED ON: MARCH 21, 2018**

TIRATH RAM

.....PETITIONER

VERSUS

**THE PUNJAB STATE COOPERATIVE
SUPPLY AND MARKETING FEDERATION
LTD. MARKFED, CHANDIGARH
AND OTHERS**

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Sharma, Advocate,
for the petitioner.

Mr. Sumit Jain, Advocate,
for respondent No.1.

Ms. Sunnit Kaur, AAG, Punjab,
for respondents No. 2 to 4.

JASPAL SINGH, J

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought issuance of appropriate writ particularly writ of certiorari for calling the record of the case with respect to appeal against award dated 30.07.2012 (Annexure P-3) pending before respondent No.3 and for setting aside the same being not maintainable and to release consequential benefits with interest @ 18%.

2. A perusal of documents available on file reveals that appeal under

Section 68 of the Punjab Cooperative Societies Act, 1961 (for short, "Act") has

already been preferred by the Society against order dated 30.07.2012 passed by Inspector Cooperative Societies, Virk Khera now Roda Wali (Arbitrator). Along with an appeal, application under Section 5 of the Limitation Act for the condonation of delay was moved, to which reply dated 10.01.2016 (Annexure P-5) has already been filed. Meaning thereby, that an appeal is pending against the order dated 30.07.2012 before the Assistant Registrar, Cooperative Societies Malout prior to January 2016. A period of more than two years has elapsed but till date no action appears to have been taken towards the disposal of said appeal.

3. Taking into consideration the aforesaid facts and circumstances, the instant petition is disposed of with the direction to Assistant Registrar Cooperative Societies, Punjab Malout, District/appellate authority to decide the aforesaid appeal captioned as ***“Punjab State Cooperative Supply and Marketing Federation Chandigarh Ltd, through District Manager, Markfed, Shri Muktsar Sahib versus Tirath Ram, Field Officer (Retd.) Markfed, Malout”*** within a period of four months positively from the date of receipt of certified copy of this order.

4. However, if the petitioner still feels aggrieved against any of the order(s) passed by the concerned authority, he shall be at liberty to have recourse to the other remedies available under law.

MARCH 21, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***
Whether reportable ***Yes/No***