

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

CWP No. 12832 of 2019
Date of Decision: 18.10.2019

M/S DEE PEE PLAZA JAMMU-MALIKPUR HIGHWAY AND ANOTHER

... Petitioners

VS.

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
 HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present: Mr. Anand Chhibbar, Senior Advocate, with
 Mr. Shikhar Sareen, Advocate,
 for the petitioners.

Mr. Shreesh Gupta, Senior DAG, Punjab.

Mr. H.S. Bedi, Advocate,
for the caveator/respondents No. 3 and 4.

RAKESH KUMAR JAIN, J. (Oral)

The petitioners have prayed for the issuance of a writ in the nature of *certiorari* for quashing the demands issued against the petitioners (Annexure P-8 and P-9) on the basis of the award dated 31.10.2018 passed by the Joint Registrar-II, Cooperative Societies in terms of the provisions of Punjab Cooperative Societies Act, 1961

During the pendency of this petition, the petitioners had deposited a total sum of ₹1,00,00,000/- with the respondent-Bank. Counsel for the caveator/respondents No. 3 and 4 has submitted that the award dated 31.10.2018 is already under challenge before the Additional Registrar (Admn.), Cooperative, Societies by way of an appeal preferred by the petitioners which is now fixed for 06.11.2019. The grievance of the petitioners is that the said appeal is not making any headway and on the other

CWP No. 12832 of 2019

hand respondents are pressing the recovery under the Punjab Land Revenue Act, 1887 in which there is a provision for arrest while recovering the amount as arrears of the land revenue.

Counsel for the petitioners has submitted that the petitioners would pursue the said appeal and withdraw this petition but till then respondents may not take the coercive steps against them.

After hearing counsel for the parties and taking into consideration the aforesaid facts and circumstances, the present petition is hereby disposed with a direction to the Additional Registrar (Admn.), Cooperative Societies, Punjab, seized of the appeal of the petitioners, to decide the same on the date it is already fixed i.e. 06.11.2019 and if it is not possible to decide the same on the said date then to do the needful by giving a short adjournment. Till then, the respondents are restrained from taking any coercive steps against the petitioners.

(RAKESH KUMAR JAIN)
JUDGE

October 18, 2019

Ess Kay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No