

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

117

Civil Writ Petition No.16183 of 2019
Date of Decision: July 1st, 2019

Smt. Jaswinder Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. B.B. Bagga, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of learned counsel for the petitioners that during the pendency of the proceedings which were initiated against Gurnam Singh, the predecessor-in-interest of the petitioners, who was working as a Secretary, The Sehjo Majra Co-operative Agricultural Services Societies Ltd.-respondent No.3, order dated 29.09.2003 (Annexure P-25) was passed by the Assistant Registrar, Cooperative Societies, Samrala, Punjab, for attachment of the land of Gurnam Singh as well as Pal Singh, who was father of Gurnam Singh and had stood as a guarantor for good conduct of his son at the time of his appointment to the post of Clerk. An award came to be passed against Shri Gurnam Singh on 19.04.2004 (Annexure P-3) by Assistant Registrar, Cooperative Societies, Ludhiana. In pursuance thereto, recoveries have been effected from Gurnam Singh. He contends that various amounts have been paid in pursuance to the award to satisfy the claim and a total of ₹47,12,700/- has been paid, as detailed in para 22 of the writ petition. The receipts of payments have been appended as Annexures P-8 to P-20. He contends that as of now there is no amount due against the name of Shri Gurnam Singh or even Pal Singh but the land of Gurnam Singh and Pal Singh is still attached and the entries in this regard have been made in the records of rights (jamabandi), which

continues. He contends that highlighting this grievance and for release of the said land from attachment, petitioners, who are the legal heirs of Gurnam Singh and Pal Singh, have been approaching the authorities for disposal of their claim. However, no response thereof has been received. In this situation, they were forced to give a notice dated 25.01.2019 (Annexure P-29) through counsel, which was served upon the Secretary, Cooperation, Punjab, Registrar, Cooperative Societies, Punjab and the Secretary, The Sehjo Majra Co-operative Agricultural Services Societies Ltd.-respondents 1 to 3 respectively but without any reply. He, thus, contends that the petitioners, at this stage, would be satisfied if a direction is issued to respondents 2 and 3 to consider and decide the legal notice dated 25.01.2019 (Annexure P-29) within some specified time.

2. Without going into merits of the case or commenting thereon, the present petition is disposed of with directions to the Registrar, Co-operative Societies, Punjab-respondent No.2 and the Secretary, The Sehjo Majra Co-operative Agricultural Services Societies Ltd.-respondent No.3, to consider the legal notice dated 25.01.2019 (Annexure P-29) and decide the same within a period of three months from the date of receipt of certified copy of this order. Decision so taken be conveyed to the petitioners forthwith.

July 1st, 2019
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: No

Whether Reportable: No