

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

CWP No.10776 of 2013
Decided on:18.11.2019

Gurcharan Singh

.....Petitioner

versus

Registrar Co-operative Societies, Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE ARUN MONGA

Present: Mr.R.K.Sharma, Advocate,
for the petitioner.

Ms.Minica Chhibber Sharma, Sr. DAG, Punjab.

Mr.Ajay Mahajan, Advocate,
for respondents No.4 and 5.

Mr.Ashwani Prasher, Advocate,
for respondent No.8.

MR.ARUN MONGA, J. (Oral)

Challenge herein is in respect of the arrest warrants issued against the petitioner by Assistant Registrar, Co-operative Societies (exercising the powers under Section 64 of the Punjab Land Revenue Act, 1887) to recover the principal amounts of Rs.1,00,400/- and Rs.32,192/- respectively, stated to be outstanding and recoverable from the petitioner. It is stated in the arrest warrants that in case the petitioner deposits the said amounts then there is no need to arrest him pursuant to said arrest warrants.

2. I have heard learned counsel for the parties and have gone through the pleadings alongwith the relevant annexures annexed thereto.

3. Learned counsel for the petitioner has drawn my attention to

the deposit receipt dated 18.05.2013 contained in Annexures P-10 and P-11 whereby the petitioner had already deposited Rs.36,160/- and Rs.1,00,400/-, respectively, which are stated to be the principal amounts, in the account of the respondent-society to whom the said amounts were to be paid after recovering the same from the petitioner.

4. In view of the aforesaid, without expressing any opinion on merits and the competency of the Assistant Registrar, Co-operative Societies to issue arrest warrants/re-validating of the original arrest warrants, the impugned order/arrest warrants are quashed as the amounts to be recovered pursuant to the arrest warrants have already been deposited.

5. It is, however, made clear that in case there is any residual amount to be recovered from the petitioner, respondent No. 4 shall be at liberty to recover the same in accordance with law.

6. Disposed of in above terms.

November 18, 2019

dharamvir

**(ARUN MONGA)
JUDGE**

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