

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 199 of 2020

1. Dhanulal Chandra, S/o Late Ramlal, Aged About 63 Years, President, Sewa Sahkari Samittee Maryadit, Farswani, R.No. 1560, Resident of Village And P.O. - Farswani, P.S. And Tahsil - Dhabhara, District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through Its Secretary To The Government Co-Operative Department, Indravati Bhawan, Naya Raipur, District : Raipur, Chhattisgarh
2. Registrar Co-Operative Societies, Govt. of Chhattisgarh, Indravati Bhawan, Naya Raipur, District : Raipur, Chhattisgarh
3. Joint Registrar, Co-Operative Societies, Bilaspur, In Front of Collectorate, Bilaspur, Old Composite Building, Nehru Chowk, Bilaspur, District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Dilip Swain, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.
For Respondents	:	Mr. Ranbir Singh Marhas, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23.01.2020

1. The challenge in the present writ petition is to the impugned order Annexure P-1 dated 06.01.2020 passed by the Joint Registrar, Cooperative Society, Bilaspur.
2. At the outset, this Court finds that the impugned order is an appealable order under Section 78 of the Chhattisgarh Cooperative

Societies Act, 1960 before the Cooperative Tribunal constituted. When the writ petition was filed, it was contended that the Tribunal is not functional on account of the Chairman of the Tribunal is not being well on the health ground. Today, when the matter is taken up it is informed that the concerned Chairman has since resumed his/her duties.

3. Given the fact that the Tribunal has now become functional, this Court is of the opinion that it would be more appropriate in permitting the petitioner to prefer an appeal before the Cooperative Tribunal.
4. Accordingly, the writ petition stands disposed off, subject to the petitioner furnishing a photocopy of the impugned order, the certified copy be returned back to the petitioner. In the event if the petitioner prefers an appeal promptly before the Tribunal, the Tribunal is expected to take up the matter on admission as also on the application for grant of interim relief within a week.
5. With the aforesaid direction, the Writ Petition stands disposed off.

**Sd/-
(P. Sam Koshy)
Judge**