

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21624-2020

Date of decision: 15.12.2020

Prabhu Jha

.....Petitioner.

vs.

**The Swaranjyoti EWS Co-operative
Group Housing Society**

.....Respondent.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Himanshu Monga, Advocate, for the petitioner.

.....

Sanjay Kumar, J. (ORAL)

The petitioner is a member of the Swaranjyoti EWS Co-operative Group Housing Society. By way of this writ petition, he seeks to challenge the communication/notice dated 14.09.2020, whereby he was informed by the said Society that if he failed to clear his dues within 15 days, his membership would be treated as having been terminated. He seeks a direction to the Society to accept his outstanding dues in five quarterly installments.

Mr. Hemant Saini, learned counsel entered appearance for the respondent-Society and filed his power of attorney. The same is taken on record. He states on instructions that the Society is more interested in securing the outstanding dues of the petitioner, which are stated to be over ₹ 13.00 lacs.

As the petitioner claims that his inability to clear his outstanding is due to the prevailing situation caused by the COVID-19 Pandemic and as Mr. Hemant Saini, learned counsel, would submit that it would be enough if the petitioner clears his dues within a time frame without fail, this Court is of the opinion that the interest of justice would be sufficiently served by requiring the petitioner to do so.

It is however made clear that this Court has not gone into the issue of maintainability of this writ petition.

The writ petition is accordingly disposed of permitting the petitioner to clear his entire outstanding dues in three equated monthly installments commencing from January, 2021. In the event, the petitioner fails to make the payment of any of the monthly installments, it would be open to the respondent-Society to terminate his membership as per due procedure.

No order as to costs.

(SANJAY KUMAR)
JUDGE

15.12.2020

preeti

whether speaking/non speaking

whether reportable/non reportable

yes/no

yes/no