

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21595-2020

Date of decision: 15.12.2020

Rajinder Singh and others

.....Petitioners.

vs.

State of Punjab and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Ranjit Singh Kalra, Advocate, for the petitioners.

.....

Sanjay Kumar, J. (ORAL)

The petitioners are members of the ACC Members Cooperative House Building Society, Mohali. Their grievance is that the authorities under the Punjab Cooperative Societies Act, 1961 (for short, '*the Act of 1961*'), are not taking necessary action upon the audit report dated 10.07.2018 and the vigilance report dated 27.05.2019 in relation to various irregularities that were allegedly committed in the course of the running of the Society and the handling of its funds. The petitioners' representations dated 24.09.2019 and 20.12.2019 are stated to have evoked some response but the authorities are yet take action under Section 54 of the Act of 1961.

As the scheme of the Act of 1961 empowers the authorities thereunder to initiate appropriate necessary action as deemed fit in the light of the findings recorded after due investigation, it is for them to undertake such exercise in the first

instance. No cause is made out for this Court to enter into the arena at such stage and venture any opinion on merits.

As the petitioners' representations are yet to be acted upon in *toto*, it would suffice at this stage if they undertake the exercise expeditiously.

Ms. Simran Grewal, learned Assistant Advocate General, Punjab, would assure this Court that the authorities would take necessary action within a time frame.

The writ petition is accordingly disposed of directing the respondent-authorities to consider the petitioners' representations dated 24.09.2019 and 20.12.2019 and take appropriate action thereon as deemed fit, including initiation of action under Section 54 of the Act of 1961, as per due procedure. A decision in this regard shall be taken expeditiously and in any event, not later than six weeks from the date of receipt of a copy of this order.

No order as to costs.

(SANJAY KUMAR)
JUDGE

15.12.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no