

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
122**

**LPA-243-2022
CM-621-LPA-2022
CM-622-LPA-2022
CM-730-LPA-2022**

Date of Decision: April 21st, 2022

BALBIR SINGH

...APPELLANT

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

**Present: Mr. Harbans Sharma, Advocate,
for the appellant.**

**Mr. S.P.S.Tinna, Addl. A.G. Punjab,
for the State.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-730-LPA-2022

C.M. is allowed subject to all just exceptions. Actual photocopy of resolution No. 5 dated 04.11.2019 is taken on record as Annexure P-2.

LPA-243-2022

In pursuance to the order passed by this Court on 28.03.2022, the original resolution book has been produced in Court by the learned counsel for the State, which has, after perusal, been returned to the counsel for the State in original.

It is the contention of the learned counsel for the appellant that the learned Single Judge has not dealt with the issue relatable to the proviso to Section 27 (1) (b) of the Punjab Co-operative Societies Act, 1961, which

reads as follows:-

“Provided that the committee of any such co-operative society shall not be superseded or kept under suspension where there is no Government shareholding or loan or financial assistance or any guarantee given by the Government.”

Counsel for the appellant contends that this issue was very much raised before the learned Single Judge, when specifically asked by this Court, but the learned Single Judge has not dealt with the said aspect.

If that be so, let the appellant first approach the learned Single Judge with the said plea by way of filing a review application.

The appeal stands disposed of with above observations.

In view of the disposal of the main appeal, all the pending applications stand disposed of.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

**(SANDEEP MOUDGIL)
JUDGE**

April 21st, 2022
pj

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No