

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

101

**CR-699 of 2016 (O&M)
Date of decision: 23.12.2022**

Balraj

..Petitioner

Versus

**Hisar Postal Emp. Co-op Salary Earners Thrift
and Credit Society Ltd. and another**

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Johan Kumar, Advocate
for the petitioner.

Mr. Amit Singla, Advocate
for respondent no.1.

Mr. Pawan Kumar Jangra, Advocate
for respondent no.2.

ANIL KSHETARPAL, J(Oral)

1. As per Section 110 of the Haryana Cooperative Societies Act, 1984 (hereinafter referred to as 'the 1984 Act') every decision, award or order passed by the Registrar or Arbitrator or Liquidator under Section 95, 100, 101, 103, 104, 107, 113, 114 and 115 is deemed to be a decree of the civil court and hence, the execution thereof can be sought from the Civil Court. The objection filed by the petitioner claiming that the Civil Court has no jurisdiction to entertain the execution petition pursuant to the award passed by the Registrar, has been dismissed.

2. The learned counsel representing the petitioner, while referring to Section 128 and 110 (b) of the 1984 Act submits that the execution petition should be filed before the Registrar or any other person subordinate to him.

3. This Court has considered the submission of the learned counsel representing the petitioner.

4. Clause (a) and (b) in Section 110 of the 1984 Act are separated by the expression 'or'. Thus, the decree holder is entitled to either invoke the jurisdiction of the Civil Court or the Registrar or any other person subordinate to him empowered by the Registrar in this behalf.

5. Keeping in view the aforesaid facts, no ground to interfere is made out.

6. Dismissed.

7. All the pending miscellaneous applications, if any, are also disposed of.

December 23, 2022
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*