



CWP-17771-1997 (O&M)

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

**CWP-17771-1997 (O&M)
Date of Decision: 05.08.2024**

Aas Mohammad

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Satish Chaudhary, Advocate,
for the petitioner.

Mr. Gaurav Jindal, Addl. AG, Haryana.

Mr. C.R. Dahiya, Advocate,
for the respondents-Society.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 14.10.1996 (Annexure P-6) passed by the Registrar, Cooperative Societies, Haryana.

2. Learned counsel for the petitioner submitted that the present petition is of the year 1997 and it is a case where the respondents-Cooperative Society had instituted disciplinary proceedings against the petitioner and a recovery order was passed against him under Sections 102 & 103 of the Haryana Cooperative Society Act, 1984. He further submitted that against the aforesaid order, the petitioner filed an appeal under Section 114 of the Haryana Cooperative Society Act, 1984 in the year 1994. The

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aforesaid appeal was dismissed in default and thereafter, the petitioner filed an application for restoration of the appeal which was also dismissed in default. He also submitted that the petitioner was not granted an opportunity of hearing when the matter was taken up before the Appellate Authority and therefore, the impugned order dated 14.10.1996 is liable to be set aside.

3. On the other hand, Mr. Gaurav Jindal, learned Addl. AG, Haryana while referring to the impugned order (Annexure P-6) passed by the Registrar, Cooperative Societies, Haryana submitted that after filing of the appeal by the petitioner, the appeal was dismissed in default twice and it appears that the petitioner himself was not interested in pursuing the appeal because it had been dismissed in default and therefore, no ground is made out for setting aside the impugned order.

4. Mr. S.R. Dahiya, Advocate has also caused appearance on behalf of the respondents-Cooperative Societies.

5. The only issue involved in the present case is that the petitioner is seeking quashing of the impugned order (Annexure P-6) which has been passed by the Registrar, Cooperative Societies, Haryana. A perusal of the aforesaid order would show that when the order of recovery was passed against the petitioner, then he filed an appeal before the Registrar, Cooperative Societies, Haryana and thereafter, his appeal was dismissed for non-prosecution twice and again an application for restoration of the appeal has been filed which was also dismissed in default. Learned counsel for the petitioner has not been able to make out any ground as to why the aforesaid impugned order (Annexure P-6) is liable to be set aside. A perusal of the impugned order (Annexure P-6) would show that it is a well-reasoned order



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and no ground is made out for intereference under Article 226 of the Constitution of India.

6. Consequently, finding no merit in the present petition, the same is hereby dismissed.

05.08.2024

(JASGURPREET SINGH PURI)

JUDGE

Bhumika

1. Whether speaking/reasoned:

Yes/No
2. Whether reportable:

Yes/No