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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

106

CWP-14132-2010

Date of decision: 11.11.2024

RUPINDERDEEP KAUR

....Petitioner

Versus

REGISTRAR, COOPERATIVE SOCIETIES, U.T. & ORS. ...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr. H.K. Aurora, Advocate
for the petitioner.

Mr. M.K. Dogra, Addl. Standing Counsel
U.T. Chandigarh with
Mr. Deepak Malhotra, Standing Counsel
for respondent No.1.

SUVIR SEHGAL. J.(Oral)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India, *inter alia* for issuance of a writ in the nature of certiorari, quashing the impugned order dated 18.05.2010 (Annexure P-1) passed by the Joint Registrar Cooperative Societies, UT Chandigarh and Resolution dated 20.11.2006 (Annexure P-2) passed by the Society-respondent No.3.

2. Counsel for the petitioner has been confronted with the remedy of revision available to the petitioner under Section 69 of the Punjab Cooperative Societies Act, 1961, (for short 'The Act') as applicable to UT, Chandigarh. He has placed reliance upon a judgment of a Co-ordinate Bench of this Court in **Sukhdev Singh and Another Vs. State of Punjab and Others (2017) 02 P&H CK 0271** to submit that as the writ petition has been pending for the last more than one

decade, the petitioner may not be relegated to the remedy of revision petition.

3. In their response filed by the respondents, a specific objection has been taken that the petitioner has failed to avail the alternative remedy under Section 69 of the Act.

4. Having heard counsel for the parties, this Court is of the opinion that no exceptional case has been made out for not exhausting the revisional remedy, which is efficacious. Petitioners cannot be permitted to by-pass the alternate statutory remedy and approach this Court under Article 226 of the Constitution.

5. Accordingly, writ petition is dismissed.

6. Petitioner may, however, if so advised avail the remedy of the revision petition before the competent authority.

7. As the writ petition is pending before this Court since August 2010, in case, the petitioner avails the remedy of revision petition within a period of 30 days from today, the revisional authority shall entertain the petition and decide it on merits.

11.11.2024
amandeep

(SUVIR SEHGAL)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No