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

**CWP-21579-2025 (O&M)
Date of Decision:27.11.2025**

Maninderpal Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CWP-34234-2025 (O&M)

Maninderpal Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Shiv Kumar, Advocate for the petitioners.

Ms. Shruti, AAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

1. Both the above-mentioned cases are being taken up together for final disposal with the consent of learned counsel for the parties as the issues involved are inter-connected and therefore are being disposed of by this common order.

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2. The present civil writ petition has been instituted under Articles 226/227 of the Constitution of India, seeking issuance of a writ in the nature of *certiorari* for quashing the orders dated 07.04.2025 (Annexure P-11) and 10.07.2025 (Annexure P-14), passed by respondent No.3.

3. Learned counsel for the petitioners submitted that respondent No.4-The Prince Mairhan Milk Producers Cooperative Society Limited, is an independent society which does not receive any financial aid, government grant or loan, yet the impugned order dated 07.04.2025 (Annexure P-11) was passed by respondent No.3, Assistant Registrar, Cooperative Societies, Bassi Pathana, District Fatehgarh Sahib vide which the Managing Committee of respondent No.4-society, has been suspended under Section 27(2) of the Punjab Cooperative Societies Act 1961 (hereafter referred to as 'the Act'). He submitted that the aforesaid action of respondent No.3 is under challenge. He further submitted that when the petitioners filed CWP No.10936 of 2025, this Court disposed of the same on 29.05.2025 with a direction to the respondents to decide the legal notice which was thereafter decided on 10.07.2025 vide Annexure P-14, whereby the claim of the petitioners was rejected and this order is also under challenge in the present petition.

4. He further submitted that by virtue of the proviso to Section 27(b) of the Act, when a committee is removed an administrator is

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appointed to manage the affairs of the society and such arrangement can continue only for a maximum period of six months. He submitted that the aforesaid order (Annexure P-11) was passed on 07.04.2025 and therefore, by operation of the aforesaid statutory provisions, upon expiry of six months the administrator is deemed to have ceased to be in office by operation of law and thereafter the committee was required to be reinstated. He also submitted that since six months expired on 07.10.2025, nothing now survives for adjudication in the present petition.

5. Learned State counsel submits that Mr. Harmandeep Singh Bal, Inspector, Cooperative Societies, is present in Court. He is also representing the Cooperative Society and was the Administrator appointed for a period of six months. She specifically submitted after taking instructions from the aforesaid Inspector who was the Administrator that on 10.10.2025 he relinquished his charge, although no separate order has been passed in this regard. She further submitted that by virtue of provisions of Section 27(a) of the Act, he is not competent to continue as an Administrator.

6. In view of the aforesaid factual position stated by the aforesaid Administrator in Court today, nothing would survive for adjudication in the present petition and therefore the same is hereby disposed of.

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7. Learned counsel for the petitioners submitted that after expiry of aforesaid period of six months, the Administrator cannot

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continue and is deemed to be *functus officio* by operation of law under Section 27(a) of the Act. He submitted that more than one month has elapsed after expiry of aforesaid period of six months still the committee which was suspended has not been reinstated and therefore the present petition has been filed seeking issuance of a direction to the official respondents to re-instate the petitioners and the Managing Committee.

8. On a query being raised to learned counsel for the petitioners as to whether before seeking issuance of a writ of mandamus any demand justice notice/representation/application has been given to the competent authority to which he stated that no such demand justice notice, representation or application has been submitted to any authority.

9. Learned counsel for the petitioners, therefore, has prayed for withdrawal of the present petition in order to enable the petitioners to file a demand justice notice/representation/application to the concerned Deputy Registrar, Cooperative Societies, for redressal of the aforesaid grievance. He further submitted that Deputy Registrar, Cooperative Societies may be directed to decide the demand justice notice/representation/application, in a time-bound manner, since more than one month has already elapsed and the Managing Committee has not been reinstated.

10. The prayer made by learned counsels for the petitioners is accepted.

11. The petition is dismissed as withdrawn.

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12. Liberty is granted to the petitioners to move any such demand notice/representation/application to the concerned Deputy Registrar, Cooperative Societies, for redressal of aforesaid grievance pertaining to reinstatement or any other grievance raised by them.

13. In the eventuality of the petitioners raising any such demand justice notice/representation/application before the concerned Deputy Registrar, Cooperative Societies, as aforesaid, the Deputy Registrar shall decide and consider the same within a period of four weeks after hearing all the concerned parties and pass an order which shall be conveyed to the petitioners.

(JASGURPREET SINGH PURI)
JUDGE

27.11.2025
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No