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

CWP-23673-2025

Date of Decision: 19.08.2025

The Indian Airlines Pilots Cooperative House Building Society Ltd.

..... Petitioner

Versus

The Additional Chief Secretary, Department of Cooperation, Haryana & others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Shailendra Jain, Senior Advocate with
Mr. Rahul, Advocate
for the petitioner.

Mr. Udit Garg, Addl. AG, Haryana.

Mr. Bharat Bhushan, Respondent No.5 in person (through V.C.).

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India by the Indian Airlines Pilot Cooperative House Building Society Ltd. seeking a writ in the nature of prohibition or any other writ, order or direction restraining respondent Nos.2 and 3 from conducting e-auction of the Club House Building (N2 Block) (N2 Club Building) which belongs to the petitioner in pursuance of the letter Memo No.3726 dated 23.07.2025 (Annexure P-10) issued by respondent No.3 demanding the reserved value of the same from the petitioner without adjudicating the sum due in Revision Petition No.54 of 2023 before respondent No.1 against the petitioner with a further prayer to direct respondent No.1 for expeditiously



deciding the aforesaid revision petition.

2. Mr. Shailendra Jain, learned Senior Counsel appearing on behalf of the petitioner assisted by Mr. Rahul, Advocate while giving the brief facts of the case has submitted that it is a case where the petitioner is a Cooperative Society having a number of flats i.e. known as Club House Building in Gurugram. The private respondents were also members of the Society but they were expelled from the Society regarding which an appeal was filed before the Additional Registrar, Cooperative Societies, Haryana challenging the aforesaid expulsion which was allowed vide Annexure P-2 dated 08.01.2007 whereby the resolution dated 09.03.2002 vide which they were expelled was set aside. Thereafter, the petitioner filed a Revision Petition before this Court which was later on converted into a Civil Writ Petition and similarly the private respondents also filed the Revision Petitions and all the aforesaid petitions were disposed of together vide order dated 10.05.2022 (Annexure P-3). However, before the disposal of the aforesaid Revision Petitions, on 11.02.2022 the Assistant Registrar, Cooperative Societies, Gurugram passed an order by holding that the private respondents were entitled for compensation against their claim of respective flats in the size category. Learned Senior Counsel further submitted that the reason for the entitlement of compensation was that when the private respondents were earlier expelled from the Society, then in the meantime, all the flats were sold out and the lot was exhausted and since by way of the order passed by the Assistant Registrar they were inducted in the Cooperative Society, the Assistant Registrar vide order dated 11.02.2022 (Annexure P-5) so held that they were entitled for the compensation. It was thereafter that the aforesaid Writ Petitions were also decided vide order dated



10.05.2022 (Annexure P-3) in which it was so observed that the parties have agreed that the order which was passed by the Assistant Registrar, Cooperative Societies, Gurugram on 11.02.2022 be implemented in its letter and spirit subject to any order to be passed by the Government in the Revision Petition preferred by the Society concerned against the said order. He also submitted that the aforesaid observation was made by a Coordinate Bench of this Court since at that point of time the Revision Petition filed by the petitioner against the aforesaid order dated 11.02.2022 was pending before the Secretary, Department of Cooperation, Haryana and the aforesaid observation made by the Co-ordinate Bench of this Court was conditional in nature which was subject to the final outcome of the Revision Petition.

3. Learned Senior Counsel for the petitioner further submitted that thereafter the Revision Petition was decided and the matter was remanded back to a Committee consisting of Additional Registrar, Cooperative Societies (Credit), Representative of the Deputy Commissioner, Gurugram, JRCS-cum-MD House Fed and ARCS (Credit) to determine the quantum of compensation after considering all the relevant factors. Thereafter, the Committee submitted a Report vide Annexure P-6 in which the amount was ascertained which was reiterated by the Registrar, Cooperative Societies. Since it was reiterated by the Registrar, Cooperative Societies, the petitioner preferred a Revision Petition before the Additional Chief Secretary Cooperation, Haryana with regard to the ascertainment of quantum of compensation. The private respondents as well filed a separate Revision Petition before the aforesaid authority which is also pending before the Additional Chief Secretary, Government of Haryana.



4. Learned Senior Counsel for the petitioner also submitted that since the aforesaid Revision Petitions are still pending, the respondents have now decided to auction the Club House Building despite the fact that the Revision Petition with regard to the ascertainment of the compensation is still pending and the next date fixed is 27.08.2025 and submitted that the petitioner-Society is not disputing that any compensation is to be given or not because once it has been so decided earlier that the compensation has to be given but the dispute is only with regard to the quantum of compensation regarding which they have preferred a Revision Petition and unless the Revision Petition is decided a serious prejudice will be caused to the petitioner in case any auction of the property takes place because the value of the property runs into about ₹41 crores which is a Club House Building.

5. Learned Senior Counsel further submitted that his prayer in the present Writ Petition is only to a limited extent that the Revisional Authority before whom the Revision Petitions of the petitioner as well as the private respondents are pending be decided within any time-frame work and till the Revision Petitions are decided, the auction may not take place because it will cause prejudice and irreparable loss to the petitioner.

6. Mr. Udit Garg, learned Additional Advocate General, Haryana has submitted that when the matter was taken up yesterday he had sought time to seek instructions from the Revisional Authority and submitted that he has now sought specific instructions from the Revisional Authority that the Revision Petitions which are filed by the petitioner and that of the private respondents, if any, will be decided within a period two months from today after giving an adequate opportunity of hearing to all the parties or their counsels.



7. Mr. Bharat Bhushan, Respondent No.5 has appeared in person through video conferencing and has also advanced his submissions. He submitted that once the matter has been adjudicated with regard to grant of compensation and regarding which even the petitioner is not disputing that the private respondents are entitled for the grant of compensation then the present petition is liable to be dismissed. He further submitted that vide Annexure P-3 the petitioner itself has so stated that the petitioner-Society is aggrieved of the order passed by the Assistant Registrar, Cooperative Societies dated 11.02.2022 which is to be implemented in letter and spirit and thereafter, the petitioner-Society did not comply with the aforesaid order and rather a Contempt Petition was also filed by private respondent which is pending and therefore, the property is liable to be auctioned so that the amount which was ascertained by the Committee has to be given to the private respondents.

8. I have heard the learned counsels for the parties.

9. The relevant portion of the order dated 10.05.2022 passed by a Co-ordinate Bench of this Court vide Annexure P-3 is reproduced as under:-

“Be that as it may, parties are agreed that let order dated 11.02.2022 passed by the Assistant Registrar Cooperative Societies, Haryana, be implemented in its letter and spirit subject to any order to be passed by the Government in the revision petition preferred by the Society concerned against the said order.

Learned State counsel submits that as per the order dated 11.02.2022 passed by the Assistant Registrar Cooperative Societies, Haryana, the property needs to be auctioned, unless the said order set aside, modified or stayed keeping in view the facts stated hereinbefore.

Let officers of the Cooperative Societies comply



with the order dated 11.02.2022 passed by the Assistant Registrar Cooperative Societies, Haryana in its letter and spirit within a period of two months from today subject to any order to be passed by the Government in the revision petition preferred by the society concerned. The direction is being issued on the basis of consensus arrived at between the learned counsel appearing for the respective parties so as to dispose off all the petitions in the terms and conditions recorded herein before.”

10. A bare perusal of the aforesaid would show that after the Assistant Registrar Cooperative Societies had so decided that the private respondents were entitled for grant of compensation vide order dated 11.02.2022, the same was referred to by a Co-ordinate Bench of this Court. However, the aforesaid order was subject to a rider that the same will be subject to any order passed by the Government in the Revision Petition preferred by the Society against the said order and it was further directed that the officer of the Co-operative Societies shall comply with the order dated 11.02.2022 in its letter and spirit within a period of two months. The Revision Petition which was filed by the petitioner-Society against the aforesaid order was decided but the matter was remanded back to a Committee as aforesaid consisting of Additional Registrar Cooperative Societies (Credit), Representative of the Deputy Commissioner, Gurugram, JRCS-cum-MD House Fed and ARCS (Credit) to determine the quantum of compensation after considering all the relevant factors. The Committee ascertained the amount which was affirmed by the Registrar Co-operative Societies and against the aforesaid order of ascertainment, the petitioner-Society has filed a Revision Petition which is pending for 27.08.2025. In this way, the Revision Petition which has been filed by the



petitioner-Society is clearly pending before the Secretary, Department of Cooperation, Haryana and therefore, this Court is of the considered view that till the Revision Petition is decided, the auction of the property cannot take place. This is in consonance with the orders passed by a Co-ordinate Bench of this Court whereby the direction was for implementing the order dated 11.02.2022 in its letter and spirit subject to the aforesaid order to be passed by the Government in the Revision Petition. Even if the Revision Petition is a second round of litigation but the fact remains that in the earlier revision petition which was subsisting at the time of passing of the order by a Co-ordinate Bench of this Court, the matter was again remanded back to a Committee and therefore, it is only continuation of proceedings. Even otherwise also, the learned Additional Advocate General, Haryana has submitted that he has sought specific instructions from the Revisional Authority that the Revision Petition will be decided within a period of two months from today. So far as the objection raised by respondent No.5 appearing through video conferencing that once ascertainment of compensation has become final then the order of a Co-ordinate Bench of this Court is required to be complied with is concerned, the same appears to be misconceived in view of the fact that the Revision Petition is still pending and the dispute is now only with regard to quantum of compensation because the learned Senior Counsel appearing on behalf of the petitioner-Society has so submitted specifically that they are not disputing the entitlement of the private respondents pertaining to the grant of compensation but only to the quantum of compensation which is to be adjudicated by the Revisional Authority.

11. In view of the aforesaid facts and circumstances and the specific



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statement made by the learned Additional Advocate General, Haryana on instructions, the present petition is disposed of. It is directed that the Secretary, Department of Cooperation, Haryana shall decide the Revision Petition filed by the petitioner and also the Revision Petition filed by the private respondents, if any within a period of two months from today by giving an adequate opportunity of hearing to the parties or their counsels.

12. Till the Revision Petition is decided, it is directed that *status quo* with regard to the auction of the property shall be maintained.

19.08.2025
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned:	Yes/No
2. Whether reportable:	Yes/No