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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5966/2025 & CM APPL. 27302/2025**

**VIRPAL SINGH**

.....Petitioner

Through: Mr. Dalip Kumar Santoshi, Advocate.

versus

**SUVIDHA CO OPERATIVE THRIFT AND CREDIT  
SOCIETY LTD AND ORS**

.....Respondents

Through: Mr. Manish Batra, Advocate for R-2.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE RAJNEESH KUMAR GUPTA**

**ORDER**

% **06.05.2025**

1. This hearing has been done through hybrid mode.

**CM APPL. 27303/2025(for exemption)**

2. Allowed, subject to all just exceptions. Application is disposed of.

**W.P.(C) 5966/2025 & CM APPL. 27302/2025**

3. The present petition has been filed by Petitioner – Virpal Singh under Article 226 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondent No.3- Canara Bank not to release any amount from the retirement benefit accounts of the Petitioner in favor of Respondent No. 1- Suvidha Co-operative Thrift and Credit Society Ltd. (hereinafter, ‘Society’) and Respondent No. 2- Registrar of Cooperative Societies (hereinafter, ‘RCS’)

4. The Petitioner is a retired bank employee of Respondent No.3- Canara



Bank. The Petitioner has stood surety for various borrowers who availed of loan facilities extended by Respondent No. 1- Society. Proceedings were initiated against the Petitioner for recovery of the said amounts and an attachment order has been issued in respect of these loans.

5. The case of the Petitioner is that the amounts which are sought to be attached are the retirement benefits of the Petitioner and he along with his family would be in significant financial difficulty if the said amounts are released to the Respondent No. 1- Society.

6. On behalf of Respondent No. 2, it is submitted by the Id. Counsel that the orders by which attachment has been directed are appealable orders in terms of Section 112 of the Delhi Co-Operative Societies Act, 2003 and the Petitioner should be relegated to the appellate remedy.

7. The Court has considered the matter. The letter dated 25<sup>th</sup> February, 2024 is clear to the effect that the Petitioner stood as a guarantee/surety in respect of loans disbursed to various individuals. The Society has therefore approached the employer *i.e.* Respondent No. 3 of the Petitioner for the attachment of the bank account of the Petitioner.

8. The Respondent No. 1 being a Co-operative Society, the order of attachment would be appealable and therefore the Petitioner is directed to avail of the appellate remedy in accordance with law.

9. Since the Petitioner is a retired bank employee, the Court takes empathetic view and merely directs that till the Petitioner approaches the Appellate Authority *i.e.* a period of two weeks, the amount attached from the Petitioner's account in Respondent No. 3- Canara Bank shall not be credited to the bank account of Respondent No. 1. This shall however be subject to any order that may be passed by the Appellate Authority.



10. The petition is disposed of. Pending application(s), if any, also stand disposed of.

**PRATHIBA M. SINGH, J.**

**RAJNEESH KUMAR GUPTA, J.**

**MAY 6, 2025/da/ck**