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

**CWP-19816-2025 (O&M)
Date of Decision: 27.01.2026**

The Swarn Jyoti EWS Co-operative Group Housing Society Limited, Gurugram
.... Petitioner

Versus

State of Haryana and others Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Kanwaljit Singh, Senior Advocate with
Mr. Ashutosh Kumar, Advocate,
Mr. Sumer Singh Brar, Advocate,
for the petitioner.

Mr. Udit Garg, Addl. AG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for setting aside the order dated 06.06.2024 passed by the Additional Chief Secretary to the Government of Haryana, Cooperation Department, Haryana (Annexure P-1) and also the order dated 16.08.2023 (Annexure P-20) passed by learned Registrar, Co-operative Societies, Haryana.

2. Mr. Kanwaljit Singh, learned Senior counsel appearing on behalf of the petitioner assisted by Mr. Ashutosh Kumar, Advocate and Mr. Sumer Singh Brar, Advocate submitted that the present petition has been filed by the Cooperative Group Housing Society challenging the order dated 06.06.2024 (Annexures P-1) passed by Additional Chief Secretary to Government of Haryana, Cooperation Department and also the order dated 16.08.2023 (Annexure P-20) passed by the Registrar, Co-operative Societies. He further submitted that the dispute herein was pertaining to the grievances which were

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raised by some of the members of the Society regarding their membership, non-payment and expulsion. The aforesaid issue was considered by the Deputy Registrar, Co-operative Societies but some of the expelled members had filed separate appeals under Section 114 of the Haryana Co-operative Societies Act, 1984 before learned Registrar, Co-operative Societies, who by way of the impugned order dated 16.08.2023 (Annexure P-20), has disposed of the appeals by directing the Committee of DRCS and ARCS to take action as per Act, rules, and Bye laws after considering the supplied documents by the parties. Thereafter, the aforesaid Committee will pass a fresh speaking order and well-reasoned order based on the record taking into consideration the compliance of all relevant provisions i.e. Bye Law No.9 including the term of instructions dated 18.01.2011 issued by the Department. In this way, the matter was remitted back to the Committee comprising of DRCS and ARCS.

3. The petitioner-Society assailed the aforesaid order before the Additional Chief Secretary to Government of Haryana, Cooperation Department by filing a revision petition which was dismissed and therefore, both the aforesaid orders (Annexures P-1 & P-20) are under challenge. He submitted that once the Assistant Registrar, Co-operative Societies and the Deputy Registrar, Co-operative Societies have already taken a view with regard to the expulsion of the members of the Society, then there was no need to send the matter back to the aforesaid Committee comprising of DRCS and ARCS.

4. On the other hand, Mr. Udit Garg, Addl. AG, Haryana has submitted on instructions from Mr. T.S. Chattha, ARCS, Gurugram, who is present in Court today that when the matter was remitted by the Registrar, Co-operative Societies vide Annexure P-20 on 16.08.2023 to the Committee comprising of DRCS and ARCS, the same was directed to be decided within



a timeline of one month, however, the matter has not been decided as yet. He submitted on specific instructions to state that the aforesaid Committee which has been formulated by the Registrar, Co-operative Societies by way of the aforesaid order (Annexure P-20), will decide the entire issue within a period of two months from today. He also submitted that all the stakeholders will be given adequate opportunity of hearing and in case, any documents are supplied by any of the stakeholders, then all the documents will be considered in accordance with law and a well reasoned order will be passed in accordance with the directions issued by the Registrar, Co-operative Societies.

5. At this stage, Mr. Kanwaljit Singh, learned Senior counsel for the petitioner submitted that earlier also the DRCS and ARCS had taken a view with regard to the issue involved vide Annexure P-19 and in case, the aforesaid order passed by the Registrar, Co-operative Societies is to be implemented, then to rule out any suspicion or doubt, the aforesaid Committee of DRCS and ARCS may be supervised and monitored by the appropriate Joint Registrar, Co-operative Societies.

6. Learned State Counsel has submitted that he has got no objections with regard to the aforesaid submissions made by learned Senior Counsel for the petitioner.

7. In view of the above, the present petition is disposed of at this stage. Considering the aforesaid submissions made by learned State counsel, the aforesaid Committee comprising of DRCS and ARCS is directed to decide the issue within a period of two months from today after giving adequate opportunity of hearing to all the stakeholders and considering all the documents, if any, placed before the aforesaid Committee. The aforesaid

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Committee shall be monitored and supervised by the concerned Joint Registrar, Co-operative Societies, which is a higher authority. The order, which is to be passed within a period of two months, will also be under the signatures of all the three officers i.e. the Deputy Registrar, Assistant Registrar and Joint Registrar, Co-operative Societies.

27.01.2026*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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