

In the Court of G. S. Sandhu, IAS. Financial Commissioner, Cooperation, Punjab, Chandigarh. (Exercising the powers of the Government under Section 69 of the Punjab Cooperative Societies Act, 1961).

Revision Petition No. 141 of 2006

1. Swaran Singh s/o late Sh. Harbant Singh, 2069, Phase X, Mohali.
2. Balbir Singh s/o Sh. Arjan Singh, r/o H.No. 1569, Phase V, Mohali.
3. Baldev Singh s/o late Sh. Mohinder Singh, 234, 1st Floor, United Cooperative House Building Society Ltd. Sector 68, Mohali.
4. Bhupinder Kaur wife of Sh. Kuldeep Singh, r/o Kothi No. 441, Phase 1, Mohali

...Petitioner

Versus

1. The Additional Registrar (C), Cooperative Societies, Punjab, Chandigarh.
2. The Deputy Registrar Cooperative Societies, Ropar.
3. The Assistant Registrar Cooperative Societies, Mohali.

...Respondents

Present: Dh. D.V.Sharma, Advocate for the petitioners
Sh. Malkeet Singh, Advocate for impleaded respondent (Sh. Basant Singh).

ORDER

This is a revision petition under Section 69 of the Punjab Cooperative Societies Act, 1961 (hereinafter referred to as the Act) against the order dated 26.5.2006 passed by Addl. Registrar (C), Cooperative Societies, Punjab, Chandigarh and order dated 24.5.2006 passed by the Deputy Registrar Cooperative Societies, Ropar.

2. The brief facts of the case are that the Managing

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Committee of the United Cooperative House Building Society Ltd. Dacn (Mohali) (hereinafter referred to as the Society) was placed under suspension under Section 27(1) of the Act by the Deputy Registrar vide his order dated 24.5.2006 for illegal enrolment of members, transfer of shares and financial irregularities etc. The petitioner filed an appeal before the Additional Registrar (C), who vide his order dated 23.6.2006 held that as the Assistant Registrar Cooperative Societies, Mohali had issued a show-cause notice to the Managing Committee of the Society whose reply was awaited, the petitioners were directed to file their reply to the show cause notice within 15 days with a further direction to the Deputy Registrar to decide the matter in another 15 days. However, the suspension of the Committee was not stayed. Hence this revision petition.

3. I have heard the counsel for the petitioners. I have also heard the counsel of applicant Sh. Basant Singh who had filed an application for impleading as respondent in this case being an interested party. The counsel for the petitioner argued that order dated 24.5.2006 has been passed by the Deputy Registrar Cooperative Societies, Ropar without application of mind and no tangible reasons have been given for suspending the Managing Committee of the Society under section 27(2) of the Act. Even the Additional Registrar (C), who had earlier stayed the order of the Deputy Registrar vide his order dated 6.6.2006, dismissed the appeal without giving any tangible reasons. The counsel further mentioned that the managing committee of the Society was elected only three months prior to the order of the Deputy Registrar and no occasion has arisen for suspending the duly elected managing committee in such a short period. Sh. Malkiat Singh, Advocate mentioned that there have been large scale irregularities as has been reported by the Assistant Registrar Cooperative Societies, Mohali and therefore, the Deputy Registrar vide his impugned order was justified in suspending the managing committee.

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