
(2010) 11 P&H CK 0453

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 19389 of 2010 (O and M)

Des Raj Rana

APPELLANT

Vs

Chandigarh Administration and Others

RESPONDENT

Date of Decision : 15-11-2010

Acts Referred:

Citation : (2010) 11 P&H CK 0453

Hon'ble Judges : Kanwaljit Singh Ahluwalia, J

Bench : Single Bench

Judgement

Kanwaljit Singh Ahluwalia, J.

Civil Misc. No.16180 of 2010

1. Application is allowed and rejoinder filed by the Petitioner is taken on record.

Civil Misc. No. 16184 of 2010

2. Application is allowed and the written statement on behalf of Respondents No. 1 to 3 is taken on record.

Civil Writ Petition No. 19389 of 2010

3. In the present writ petition, it has been prayed that the order (Annexure P-7) dated 18th October, 2010, whereby an Administrator was appointed, be set aside and the managing committee of the Private Teachers Cooperative Group House Building Society, Chandigarh (hereinafter referred to as, "the Society"), be allowed to discharge its functions.

4. Mr. Deepak Sibal, Advocate appearing for the Petitioner, has stated that one of the primary reasons for appointment of the Administrator, noticed in the impugned order (Annexure P-7) was that the one year term of managing committee of the Society has come to an end. Mr. Sibal has seriously contested and submitted that the term of managing committee of the Society is three years. He has further submitted that since the managing committee itself had

issued the election programme (Annexure P-1), he will pray to this Court that an early election of managing committee of the Society be held to resolve all the disputes. Mr. Sibal has further stated that an appeal has been filed by the five expelled members of the Society and the same is fixed for hearing before the Registrar, Cooperative Societies, Chandigarh. It is stated that till the new managing committee of the Society is elected, the Administrator will not defend the Society with necessary vigor and therefore, the outgoing managing committee be permitted to defend the appeal.

5. Counsel for the Respondents has no objection thereto.

6. In view of this, present writ petition is hereby disposed of by directing the Registrar, Cooperative Societies-cum-Deputy Commissioner, Chandigarh to hold an election of managing committee of the Society in accordance with the rules and bye-laws within a period of one month from the date of receipt of a certified copy of this order. The outgoing managing committee and the Administrator so appointed, shall facilitate and extend necessary help to the Registrar, Cooperative Societies, Chandigarh to conduct election of managing committee of the Society.

7. In the interest of all, the outgoing managing committee of the Society is also permitted to appear and defend the appeal along with the Administrator.