



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

103

CWP-7446-2021 (O&M)

Date of Decision: 09.01.2025

SOHAN LAL AND OTHERS

.....Petitioner(s)

versus

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE LAPITA BANERJI

Present:- Mr. N.P.S. Mann, Advocate,
for the petitioners.

Mr. Brijesh, AAG, Punjab.

Mr. Harbans Sharma, Advocate,
for respondent No.5.

Mr. Maninder Singh Saini, Advocate,
for respondents No.7 and 8.

LAPITA BANERJI, J.(Oral)

1. Learned counsel appearing for the petitioners fairly submits that there is an alternative statutory remedy of filing an appeal under Section 68 of the Punjab Co-operative Societies Act, 1961 (for brevity '1961 Act'), available to the petitioner. He also submits that if the petitioner seeks his alternative statutory remedy as on date then he will be hit by the laws of limitation. Since, the impugned order passed by the Deputy Registrar, Co-operative Societies, Kapurthala, was passed on September 10th, 2020, the Competent Authority was not available due to COVID Pandemic. Therefore, the petitioner could not file the appeal under Section 68 of the 1961 Act.

2. Mr. Brijesh, AAG, Punjab, appears on behalf of the respondents No.1 to 4/State.

2025:PHHC:001675



3. After hearing the parties, this Court is of the view that due to the availability of an alternative statutory remedy the petitioners should approach the competent authority. However, the appeal of the petitioner if filed within a period of 30 days from the date of this order it shall be decided on merits without the issue of limitation being raised.

4. With the aforesaid direction, the petition is disposed of. .

5. Pending application(s), if any, shall also disposed of.

09.01.2025

Jyoti Thakur

**(LAPITA BANERJI)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No