

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

**COCP No. 1378 of 2017**

**Date of decision : 29.05.2018**

Parveen Kumar Anand

...Petitioner

V/s

SP Sharma, The Chairman, The Sarswati Kunj Commission & anr.

...Respondents

**BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. B.S. Bedi, Advocate for the petitioner.

Mr. D.D. Gupta, Advocate for respondent no. 2.

**RAJAN GUPTA J.**

Petitioner alleges violation of order dated 07.01.2015 passed by Assistant Registrar Cooperative Societies, Gurgaon. Petitioner claims himself to be a member of The Saraswati Kunj Cooperative House Building Society Ltd. and was accordingly allotted a plot in phase-I of the Society at village Wazirabad, district Gurgaon. Upon payment of all the dues towards sale consideration, respondent-Society allotted plot no. 792 measuring 100 sq. yards vide possession letter no. SK/HB/3189 dated 05.11.1996. However, said plot was allotted to some other person. Thereafter, petitioner made number of requests to the respondent-Society to do the needful but it did not pay any heed which necessitated him to file a petition under section 102 of the Haryana Cooperative Societies Act, 1984. Vide order dated 07.01.2015, The Assistant Registrar Cooperative Societies, Gurgaon disposed of the petition and directed the respondent-Society to check the claim of the petitioner within two months and if found entitled, an alternate plot be allotted to him. However, petitioner was not allotted any plot

pursuant to aforesaid directions. Due to non-compliance of said order, petitioner has preferred the instant contempt petition before this court. It is inexplicable why petitioner has invoked the jurisdiction of this court. The contempt jurisdiction would normally be not invoked for execution of orders passed by the authorities under the Societies Act. Reliance on judgment reported as *S. Kapur Singh, I.C.S. vs. L. Jagat Narain, Editor, Printer and Publisher of Daily "Hind Samachar", Jullundur* is not applicable to the facts of the instant case.

In view of above, present contempt petition is dismissed. Petitioner is, however, at liberty to avail alternative remedy, if any, available to him.

May 29, 2018

*Ajay*

(RAJAN GUPTA)  
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No