

4. Hearing of arguments and perusal of record led me to conclude that impugned order passed by lower forum is already in favour of the appellant. Hence, he should file execution petition under section 59 of Cooperative Societies Act, 1925 before appropriate forum.

5. The instant appeal is hereby rejected and disposed of accordingly.

Secretary to Govt. of the Punjab
Cooperatives Department

IN THE COURT OF SECRETARY TO GOVT. OF THE PUNJAB
COOPERATIVES DEPARTMENT

Naeem Nathenial

(Appellant)

Versus

Banaras Masih etc.

(Respondents)

APPEAL UNDER SECTION 64 OF COOPERATIVE SOCIETIES ACT,
1925

Present:

1. Mr. Amir Farooq, Advocate for the Appellant.
2. Mr. Muhammad Kashif Shahzad, Advocate for Respondent No.1.
3. Mr. Khalid Umer, Circle Registrar Cooperative Societies, Rawalpindi/Ex-Administrator of the society.

ORDER

This order will dispose of the instant appeal filed under section 64 of Cooperative Societies Act, 1925, against the order dated 05.12.2019 passed by Circle Registrar Cooperative Societies, Rawalpindi.

2. Counsel for the appellant contended that his client had paid all the dues of Roman Catholic Christian Cooperative Housing Society Ltd. Islamabad and an NOC was also issued in his favour by the society. However, despite of fulfilling all legal and codal formalities, neither the respondent society was handing him over the plot nor compensating with equal value of the plot.

3. Counsel for Respondent No.1 raised objection upon the maintainability of instant appeal on the ground that the impugned order, passed by lower forum, was already in the favour of the Appellant. The appellant should have file execution petition rather than assailing the favourable impugned order before this forum.

