

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

1st Case No.SO (JUDL)2-89/2026

Abdalians Cooperative Housing Society Ltd. Lahore (Petitioner)

Versus

Deputy Registrar Cooperative Societies, Lahore etc. (Respondents)

2nd Case No.SO (JUDL)1-59/2026

Abdalians Cooperative Housing Society Ltd. Lahore (Petitioner)

Versus

Registrar Cooperative Societies Punjab etc. (Respondents)

3rd Case No.SO (JUDL)1-61/2026

Abdalians Cooperative Housing Society Ltd. Lahore (Petitioner)

Versus

Registrar Cooperative Societies Punjab etc. (Respondents)

APPEALS AND REVISION PETITION UNDER SECTION 64 & 64-A
OF THE COOPERATIVE SOCIETIES ACT 1925

Present:

1. Mr. Muhammad Javaid Iqbal Qureshi, Advocate for the Abdalians Cooperative Housing Society Ltd. Lahore / Petitioners in all cases.
2. Rana Abdul Shakoor, Advocate for Respondents No. 2-3 in first case and for Respondent No. 4 in second case.
3. Mr. Abbas Ali Chadhar, Advocate for Respondent No. 4 in third case.

ORDER

This consolidated order will dispose of above mentioned cases filed under Section 64-A of the Cooperative Societies Act, 1925 (hereinafter "the Act") against the orders dated 01.04.2026, 22.07.2026 and 12.08.2026 passed by the Deputy Registrar Cooperative Societies, Lahore (hereinafter "the Deputy Registrar"), whereby the Deputy Registrar held that the withdrawal of NOCs for commercialization of residential Plot Nos. 7 and 8 of Block-C, Plot

No. 10-A of Block-A and Plot No. 4 of Block-A, situated in the Abdalians Cooperative Housing Society Ltd., Lahore (hereinafter "the society"), was without legal effect, as the issue of commercialization had already been approved by the General Body and the Registrar Cooperative Societies, Punjab.

2. Counsel for the petitioner argued that the impugned orders were passed by the Deputy Registrar contrary to law and without properly appreciating the facts, record, approved Master Plan and registered Bye-laws of the society. He submitted that the commercialization fee was allegedly introduced in the AGM held on 18.11.2007 without any specific agenda item, and the residential status of the plots abutting Nazria-e-Pakistan Road had never been lawfully changed in accordance with the prescribed procedure. Counsel further submitted that Agenda Item No. 6 of the AGM held on 25.05.2025 related to issuance of NOCs for commercialization of residential plots adjacent to Nazria-e-Pakistan Road, whereas the approved Layout/Master Plan still showed such plots as residential. He contended that the previous Managing Committee had issued NOCs for commercial use without lawful authority and without first amending the Master Plan, and the incumbent Managing Committee, after examining the record, had therefore rightly withdrawn the 13 NOCs vide letter dated 26.03.2026. It was maintained that under Bye-law No. 27(viii), conversion of residential plots into commercial plots required amendment of the approved Master Plan through the General Body with the requisite 2/3rd majority and no such lawful amendment or approval had taken place. Counsel argued that the Deputy Registrar, instead of examining the legality of the earlier NOCs and the applicable Bye-laws, had suo motu declared the withdrawal letters, issued by the society, to be without lawful authority and set it aside, despite there being no application or proceedings initiated by the concerned respondents and without affording the society a

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proper opportunity of hearing, in violation of Article 10-A of the Constitution. He further submitted that the decision of the AGM dated 25.05.2025 did not itself change the residential status of the plots and, therefore, could not provide lawful basis for commercialization or charging of NOC fee. Counsel also contended that the previous management had, in violation of the prescribed procedure, amalgamated Plots No. 7 and 8 of Block-C, despite the plots being owned by two different persons. It was further argued that the subsequent actions based upon the allegedly unlawful foundation of commercialization could not be sustained, as the society was required to act strictly in the manner prescribed by its Bye-laws and approved Master Plan. Counsel maintained that the Deputy Registrar, being the regulatory authority, was required to protect the Bye-laws, approved Master Plan and interests of the members, but instead passed the impugned orders without lawful jurisdiction and in disregard of the relevant record and legal requirements. He, therefore, submitted that the impugned orders suffered from material illegality, irregularity, non-reading and misreading of the record and had resulted in miscarriage of justice. Counsel accordingly prayed that the instant appeals and a Revision Petition might be accepted by setting aside the impugned orders in the interest of justice.

3. On the contrary, counsels for the respondents argued that the objections raised by the society regarding the commercialization of the plots were not sustainable. The counsels referred to the notification issued by the Lahore Development Authority (LDA) and submitted that, according to the said notification, there were 60 plots, excluding the plots falling within the LDA schemes, situated along Nazria-e-Pakistan Road, having excess/open area towards the said road. Counsels further submitted that, under the LDA policy, the plots along the road were placed in three categories, i.e. prohibited, permissible and permitted, and the relevant use of the plots had subsequently

been permitted by the competent authority. It was further argued that the respondents had paid the required amounts to the society for commercialization of their respective plots and, after receiving the prescribed fees, the Managing Committee of the society itself had issued NOCs in their favour for commercialization of the residential plots. Counsels contended that once the NOCs had been duly issued by the Managing Committee after receipt of the requisite charges, the society could not subsequently withdraw or cancel the same without lawful justification. They further submitted that, relying upon the NOCs issued by the society, the respondents approached the Lahore Development Authority for commercialization of their plots, and the LDA, after receiving the requisite fees and considering the relevant record, had also allowed the commercialization. It was, therefore, contended that the respondents had acted upon the NOCs issued by the society and had acquired a legitimate basis to proceed with commercialization before the LDA, and the subsequent unilateral withdrawal of the NOCs by the present Managing Committee was unlawful and could not defeat the rights and interests created in favour of the respondents.

4. Arguments heard, produced record perused. The controversy in the instant matters hinges on the questions whether the Managing Committee of the society was justified in withdrawing the NOCs for commercialization of the subject plots particularly when the said NOCs had already been issued by the outgoing Managing Committee after receipt of the prescribed commercialization charges and had subsequently been acted upon by the respondents before the Lahore Development Authority? Whether the action taken by the Deputy Registrar, holding that the subsequent withdrawal of the NOCs issued by the society for commercialization of the subject plots was without legal effect, was justified or not?

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5. The record shows that issue of commercialization of plots abutting Nazria-e-Pakistan Road had already been considered at the level of the society and the competent authorities in wake of notification issued by the Lahore Development Authority allowing the commercialization of the plots subject to compliance of legal and procedural formalities in this regard. The respondents paid the requisite charges to the society and, thereafter, the society issued NOCs in their favour for commercialization. On the basis of the said NOCs, the respondents approached the Lahore Development Authority, which, after receiving the prescribed fees and considering the relevant record, allowed commercialization of the subject plots. Thus, the respondents had acted upon the NOCs issued by the society and had got the land use of the plots changed from residential to commercial from the Lahore Development Authority, the concerned development authority.

6. In the above circumstances, the subsequent Managing Committee could not, merely on the basis of its own interpretation of the approved Master Plan or Bye-laws, unilaterally withdraw the NOCs already issued by the society after receipt of the prescribed charges, particularly when the said NOCs had already been acted upon before the competent authority. If the petitioner society was of the view that the earlier commercialization or issuance of NOCs was contrary to the approved Master Plan, Bye-laws or any other applicable law, the same was required to be examined and determined through the competent legal and regulatory process. The unilateral withdrawal of the NOCs, after the respondents had acted upon them and the matter had also been considered by the LDA, could not by itself nullify the rights and consequences arising from the earlier acts of the society. The petitioner has also not been able to establish from the record that the NOCs were obtained by fraud or misrepresentation on the part of the respondents or the competent authority had declared the same to

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be void from their inception. The objection regarding the residential status of the plots and the alleged violation of the Master Plan, therefore, could not justify the unilateral cancellation of the NOCs in the manner adopted by the incumbent Managing Committee of the society.

7. On coming to know the issue of unilateral withdrawal of the NOCs by the Managing Committee in disregard of the decision made by the AGM held on 25.05.2025, the approval granted thereof by the Registrar and permission for commercialization of the plots given by the Lahore Development Authority, the Deputy Registrar took notice of the same and set aside such withdrawal by declaring the same to have been issued without lawful authority and having no legal effect. It is significant that the then Managing Committee had itself issued the NOCs after receiving the prescribed commercialization charges from the respondents. Having voluntarily issued the NOCs and permitted the respondents to proceed before the LDA, the society could not subsequently disown its own act merely because a subsequent Managing Committee took a different view regarding the legality or desirability of commercialization. The relationship between an authority and the public is based on trust. Once an authority gives permission and a person act upon it, the authority should not later withdraw or change that permission, especially when the person has completed the required work on its bases. Doing so affects public trust and credibility of the institution / authority. Therefore, the impugned orders passed by the Deputy Registrar cannot be said to suffer from any illegality, material irregularity, misreading or non-reading of the record warranting interference under sections 64 and 64-A of the Act. The contention of the petitioner regarding the alleged violation of the Master Plan and Bye-laws may require consideration in accordance with the prescribed statutory and

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regulatory procedure, but it does not, in the facts and circumstances of the present case, render the already issued NOCs automatically ineffective.

8. Foregoing in view, it is observed that the petitioner has failed to establish any jurisdictional defect, material illegality or irregularity in the impugned orders warranting interference in the present proceedings. Consequently, the instant matters, being devoid of merit, are hereby dismissed and the impugned orders dated 01.04.2026, 22.07.2026 and 12.08.2026 passed by the Deputy Registrar Cooperative Societies, Lahore are upheld.

Announced
31.08.2026



(Naveed Haider Shirazi)
Secretary to Govt. of the Punjab
Cooperatives Department