

(2013) 08 P&H CK 0893

High Court Of Punjab And Haryana At Chandigarh

Case No: CWP 18311-2013 (O and M)

Rambir and Another

APPELLANT

Vs

Registrar, Cooperative Societies
and Others

RESPONDENT

Date of Decision: Aug. 21, 2013

Acts Referred:

- Haryana Co-operative Societies Act, 1984 - Section 27

Hon'ble Judges: M.M.S. Bedi, J

Bench: Single Bench

Advocate: S.S. Dalal, for the Appellant;

Final Decision: Disposed Off

Judgement

M.M.S. Bedi, J.

The petitioners were appointed vide resolutions Annexures P-1 and P-I/A. Vide orders Annexure P-2 and P-2/A, respondent No. 2, the Deputy Registrar, exercising the powers of Registrar u/s 27 of the Haryana Cooperative Societies Act, 1984, (for short "the Act"), has rescinded the resolutions Annexures P-1 and P-I/A. Counsel for the petitioners submits that resolutions Annexures P-1 and P-I/A in favour of the petitioners have been rescinded without giving any opportunity of hearing to the petitioners.

2. I have considered the facts and circumstances of the present case. The petitioners are aggrieved by the orders passed by the Deputy Registrar in the exercise of powers u/s 27 of the Act as well as u/s 110(ii), of the Haryana Cooperative Societies Rules, 1989, (for short "the Rules") (provisions wrongly mentioned).

3. The petitioners have got a statutory remedy to challenge the orders Annexures P2 & P2/A by way of appeal u/s 114(1)(e) of the Act. The writ petition is disposed of, at this stage, as not maintainable relegating the petitioners to avail the alternative remedy of appeal within a period of 15 days from the receipt of certified copy of this

order. In case the appeal is filed within 15 days, the same will be considered expeditiously preferably within a period of three months after filing of the same. It is further ordered that during pendency of the appeal, the status quo as existing today regarding the services of the petitioners will be maintained.