



2026:CGHC:26511-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WA No. 498 of 2026

- 1** - Chief Executive Officer Zila Sahakari Kendriya Bank Maryadit Bilaspur, Nehru Chowk Bilaspur, District Bilaspur, Chhattisgarh
- 2** - Chairman/ Board of Directors Zila Sahakari Kendriya Bank Maryadit Bilaspur, Nehru Chowk Bilaspur, District Bilaspur, Chhattisgarh
- 3** - Collector Cum Authorized Officer Zila Sahakari Kendriya Bank Maryadit Bilaspur, Nehru Chowk Bilaspur, District Bilaspur, Chhattisgarh

... Appellants

versus

- 1** - Sushil Kumar Sharma S/o Bahorik Lal Sharma Aged About 57 Years R/o Gali No. 06, Ward No. 02, Behind Sbt College Kududand, Bilaspur (M.Corp), District Bilaspur, Chhattisgarh 495001
- 2** - State of Chhattisgarh Through Secretary, Department of Cooperative Societies, Ministry, Mahanadi Bhawan, Naya Raipur, PO and Police Station Rakhi, District Raipur, Chhattisgarh
- 3** - Registrar Cooperative Societies Indravati Bhavan, Naya Raipur, District Raipur, Chhattisgarh
- 4** - Joint Director Cooperative Societies Bilaspur, District Bilaspur, Chhattisgarh
- 5** - Commissioner (Revenue) Bilaspur Division Bilaspur District Bilaspur, Chhattisgarh

... Respondents

Cause-title taken from Case Information System

For Appellants	: Mr. Prafull N. Bharat, Senior Advocate assisted by Mr. Vikas Kumar Pandey and Ms. Seema Verma, Advocates
For Respondent No.1	: Mr. Shashwat Mishra, Advocate
For Respondent Nos. 2 to 5 / State	: Mr. Prasun Kumar Bhaduri, Dy. Advocate General

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Judgment on Board

Per Ramesh Sinha, Chief Justice

30.06.2026

1. Heard Mr. Prafull N. Bharat, learned Senior Advocate assisted by Mr. Vikas Kumar Pandey and Ms. Seema Verma, learned counsel for the appellants. Also heard Mr. Shashwat Mishra, learned counsel, appearing for the respondent No.1 and Mr. Prasun Kumar Bhaduri, learned Deputy Advocate General, appearing for the State/ respondent Nos. 2 to 5.
2. The present intra-Court appeal has been filed by the appellants, who were respondent Nos. 5 to 7 in WPS No. 13382 of 2025 filed by the writ petitioner / respondent No.1 against the impugned order dated 27.11.2025 passed by the learned Single Judge in the said writ petitioner, whereby the learned Single Judge has dismissed the writ petition as withdrawn granting liberty to respondent No.1 (petitioner in WPS No. 13382 of 2025) to file an application before the Registrar Cooperative Society within 30 days from the date of receipt of copy of the order and it has also

been observed that Adjudicating Authority shall decide the dispute on its own merit without insisting for delay. Further, the appellants have also challenged the impugned order dated 01.04.2026 passed by the learned Single Judge in REVP No. 91 of 2026, whereby the review petition filed by the appellants for reviewing the order dated 27.11.2025 passed by the said Court in WPS No. 13382 of 2025 has been dismissed.

3. Brief facts necessary for disposal of this appeal are that the writ petitioner / respondent No.1 herein has filed a writ petition i.e. WPS No. 13382 of 2025 before this Court assailing the order dated 11.02.2015 passed by the Chief Executive Officer, Zila Sahakari Kendriya Bank Maryadit, whereby he has been dismissed from the service and the order dated 24.02.2024 by which his representation has been rejected. The said writ petition has been dismissed by the learned Single as withdrawn vide order dated 27.11.2025 granting liberty to writ petitioner / respondent No.1 to file an application before the Registrar Cooperative Society within 30 days from the date of receipt of copy of the order and it has also been observed that Adjudicating Authority shall decide the dispute on its own merit without insisting for delay. Being aggrieved by the dated 27.11.2025 passed by the learned Single Judge in WPS No. 13382 of 2025, the appellants, who were respondent Nos. 5 to 7 in the said writ petition, have filed the review petition i.e. REVP No. 91 of 2026 for reviewing the said order, however, the said review petition has been dismissed by the

learned Single Judge vide order dated 01.04.2026. Hence, this appeal.

4. Mr. Prafull N. Bharat, learned Senior Advocate, appearing for the appellants / Bank vehemently argued that that the learned Single Judge has erred in law in granting liberty to respondent No.1/writ petitioner to approach the Registrar under Section 55 of the Chhattisgarh Cooperative Societies Act, 1960 (for short, 'the Act') with a direction that the dispute be decided on merits without insisting upon the question of delay. It is submitted that such a direction is contrary to the express mandate of Section 55(2) of the Act, which requires an aggrieved employee to present the dispute before the Registrar within thirty days from the date of the impugned order. It is further submitted that the Act does not confer any power upon the Registrar to condone the delay, nor does it contain any provision analogous to Section 5 of the Limitation Act, 1963. Reliance is placed upon the judgment of the Hon'ble Supreme Court in ***Noharlal Verma v. District Cooperative Central Bank Ltd., Jagdalpur, (2008) 14 SCC 445***, wherein it has been categorically held that the Registrar has no jurisdiction to entertain a dispute filed beyond the prescribed period of limitation. It is submitted that the said principle has consistently been followed by this Hon'ble Court in WPS Nmo. 4484 of 2010, *P.R. Jain (Dead) through LRs v. Jila Sahakari Kendriya Bank Maryadit* decided on 09.08.2021 and in WPS No. 1773 of 2020, *Pramod Verma v. State of Chhattisgarh & Others* and the connected

matters decided on 13.04.2023. Therefore, it is submitted that the impugned order, by directing the statutory authority to decide the dispute on merits without considering the bar of limitation, travels beyond the statutory framework and is liable to be interfered with.

5. Mr. Bharat contended that the order passed by the learned Single Judge in the review petition is wholly unsustainable as the same is a non-speaking and unreasoned order passed without considering the specific contentions raised by the appellants regarding the statutory bar of limitation and the lack of jurisdiction of the Registrar to entertain a time-barred dispute. It is submitted that it is a well-settled principle of law that recording of reasons is an indispensable requirement of every judicial order, as reasons ensure transparency, fairness and enable effective judicial scrutiny. In the absence of reasons, the impugned order suffers from arbitrariness and cannot be sustained in law. Reliance is also placed upon the judgment of the Hon'ble Supreme Court in ***Ganesan v. Commissioner, Tamil Nadu Hindu Religious and Charitable Endowments Board, (2019) 7 SCC 108***, wherein the importance of reasoned orders has been reiterated. It is, therefore, submitted that both the order dated 27.11.2025 passed in WPS No.13382 of 2025 and the order dated 01.04.2026 passed in REVP No.91 of 2026 deserve to be set aside and the present appeal deserves to be allowed.
6. On the other hand, learned counsel for respondent No.1 opposes the submissions made by the learned counsel for the appellant

and submitted that the present writ appeal is misconceived and deserves to be dismissed. He further submitted that the learned Single Judge has neither condoned the delay nor directed the Registrar to act contrary to the provisions of Section 55 of the Act. The impugned order merely grants liberty to respondent No.1 to avail the statutory remedy before the competent authority, leaving all questions relating to limitation, maintainability and jurisdiction open for consideration by the Registrar in accordance with law. He contended that the appellants' reliance on ***Noharlal Verma*** (supra) is misplaced, as the legal position laid down therein remains binding upon the Registrar, who is competent to decide the objection of limitation independently. It is further submitted that the review petition disclosed no error apparent on the face of the record warranting exercise of review jurisdiction, and therefore, the learned Single Judge rightly dismissed the same. Accordingly, no interference with the impugned orders is called for and the present writ appeal deserves to be dismissed.

7. We have heard learned counsel for the parties and perused the impugned order and other documents appended with writ appeal.
8. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that the principal grievance of the appellants is directed against the order dated 27.11.2025 whereby the learned Single Judge, while permitting the writ petitioner to withdraw the writ petition, granted liberty to approach the Registrar under Section 55 of the Act with an

observation that the competent authority shall decide the dispute on merits "without insisting for delay". The appellants have contended that such a direction is contrary to the statutory mandate contained in Section 55(2) of the Act and the law laid down by the Hon'ble Supreme Court in **Noharlal Verma** (supra).

9. In **Noharlal Verma** (supra), the Hon'ble Supreme Court has categorically held that Section 55(2) prescribes a limitation of thirty days for filing a dispute before the Registrar and that the statute does not confer any power upon the Registrar to condone the delay. The Supreme Court has held that in the absence of any provision analogous to Section 5 of the Limitation Act, the Registrar has no jurisdiction to entertain a dispute beyond the prescribed period. The relevant observations contained in **paragraphs 31 to 35** read as under:

"Section 55 of the Act is a complete code in itself. The Registrar can entertain a dispute only if it is presented within the period prescribed therein. In the absence of any provision empowering the Registrar to condone the delay, a dispute filed beyond the prescribed period cannot be entertained."

10. The Hon'ble Supreme Court further observed that the provisions of Section 3 of the Limitation Act make it obligatory for every Court or authority to dismiss proceedings instituted beyond the prescribed period where no power of condonation exists.
11. The aforesaid principle has subsequently been reiterated by the Hon'ble Supreme Court in **Ganesan v. Commissioner, Tamil**

Nadu Hindu Religious and Charitable Endowments Board, (2019) 7 SCC 108, wherein it has been held that when a special statute prescribes a period of limitation without conferring power to condone delay, such limitation has to be strictly enforced. Likewise, it is well settled that judicial orders affecting the rights of parties must disclose reasons. In ***Kranti Associates (P) Ltd. v. Masood Ahmed Khan***, (2010) 9 SCC 496, the Hon'ble Supreme Court, particularly in **paragraphs 47 to 51**, has emphasized that recording of reasons is an indispensable component of the principles of natural justice and that reasons constitute the heartbeat of every judicial order.

12. In the present case, this Court finds that the review petition preferred by the appellants specifically raised the contention that the liberty granted by the learned Single Judge, coupled with the direction to decide the dispute without insisting upon delay, runs contrary to the statutory bar under Section 55(2) and the law declared by the Hon'ble Supreme Court in ***Noharlal Verma*** (supra). However, the review petition has been dismissed by a brief order without adverting to the aforesaid contentions or the binding precedents relied upon by the appellants. Since the question raised goes to the root of the jurisdiction of the statutory authority, the same required due consideration by the learned Single Judge.
13. Accordingly, for the reasons recorded hereinabove, the present writ appeal is **allowed**. The order dated **27.11.2025** passed by the

learned Single Judge in **WPS No.13382 of 2025**, as well as the order dated **01.04.2026** passed in **REVP No.91 of 2026**, are hereby **set aside**. The matter is remanded to the learned Single Judge for fresh consideration of WPS No.13382 of 2025 in accordance with law, after affording due opportunity of hearing to all the parties and after taking into consideration the statutory provisions governing the field as well as the law laid down by the Hon'ble Supreme Court in ***Noharlal Verma*** (supra), and other binding precedents on the issue.

14. It is made clear that this Court has not expressed any opinion on the merits of the rival contentions, and all questions of fact and law, including those relating to limitation, maintainability and jurisdiction, are left open to be decided by the learned Single Judge. No order as to costs.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice