

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (S) No.2308 of 2011

R.C. Tiwari, aged about 55 years, S/o Late Shri Mulchand Tiwari, Senior Branch Manager, Jila Sahkari Krishi Aur Gramin Vikas Bank, Branch Mungeli, District Bilaspur (C.G.), R/o H.No.1/615, Shubham Vihar, Mungeli Road, Bilaspur, District Bilaspur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through its Secretary, Department of Co-operative Societies, Mantralaya, D.K.S. Bhawan, Raipur
2. The Registrar, Co-operative Societies, Chhattisgarh, H.Q. Raipur
3. The Deputy Registrar, Co-operative Societies, Chhattisgarh, H.Q. Raipur
4. Jila Sahkari Kendriya Bank Maryadit, Bilaspur, Through the Chief Executive Officer, H.Q. Nehru Chowk, Bilaspur (C.G.)

---- Respondents

For Petitioner: Mr. Sandeep Dubey, Advocate.

For Respondents/State: Mr. Dheeraj Kumar Wankhede, G.A.

For Respondent No.4: Mr. Vikas Pandey, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

27/10/2015

1. The petitioner was terminated by the Chief Executive Officer of the Cooperative Bank, Bilaspur on 19-9-2006. The order of termination was set aside by the Registrar, Cooperative Societies by order dated 28-6-2007. Appeal against the order of the Registrar, Cooperative Societies, by the Cooperative Bank was dismissed by order dated 12-5-2008. The petitioner

filed application for execution of the order passed by the Registrar, Cooperative Societies, which was dismissed by order Annexure P-1 holding that the writ petition being W.P.(S) No.4218/2009 (Jila Sahkari Krishi Avam Gramin Vikas Bank Maryadit v. State of Chhattisgarh and four others) against the order of the Registrar, Cooperative Societies, is pending consideration before this Court.

2. Learned counsel for the petitioner would submit that now, the said writ petition filed by the Cooperative Bank has already been dismissed on 27-1-2015 as such, the Registrar, Cooperative Societies – respondent No.2, is bound to reinstate the petitioner.
3. The petitioner is directed to make a fresh representation in the light of dismissal of W.P.(S)No.4218/2009 before the Registrar, Cooperative Societies who shall consider the case of the petitioner afresh, in accordance with law, keeping in view the fact that the writ petition filed on behalf of the Cooperative Bank has already been dismissed. Such representation of the petitioner shall be decided within 30 days from the date of filing of the same. If cause of action survives, the petitioner is at liberty to take recourse available under the law.
4. Accordingly, the writ petition stands disposed of.

Sd/-
(Sanjay K. Agrawal)
Judge