

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6716 of 2014

- Nawal Singh S/o Shri Gajendra Singh Aged About 31 Years Asstt. Society Manager (Removed) Aadim Jati Sewa Sahakari Samiti Maryadit Madisarai R/o Madisarai P.S. Janakpur Distirct Koriya C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department of Cooperative Societies, Mantralaya, Mahanadi Bhawan, Naya Raipur, C.G.
2. The Registrar, Cooperative Societies, Indravati Bhawan, 3rd Floor, New Raipur Distirct Raipur C.G.
3. The Collector Koriya, Distt. Korea, C.G.
4. Deputy Registrar, Cooperative Societies, Baikunthpur Koriya Distirct Koriya C.G.
5. Authorized Officer, Aadim Jati Sewa Sahakari Samiti Maryadit, Registration No. 993, Madisarai, P.S. Janakpur, District Koriya C.G.

---- Respondents

For Petitioner	Ms. Naushina Afrin Ali, Advocate
For Respondent/State	Shri Y.S. Thakur, Dy. AG
	Shri Ran Sai Rajwade, Assistant Accountant, OIC

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

08/10/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. The petitioner is aggrieved by the order (Annexure-P-1), whereby the respondent No.5, Authorized Officer, Aadim Jati Sewa Sahakari Samiti Maryadit has removed the petitioner from the Office of Assistant

Society Manager without conducting any enquiry or giving any opportunity of hearing. Although, the order has been passed in violation of principles of natural justice, as also in alleged violation of the Rules governing the petitioner's services, yet since the petitioner appears to be an employee of the Primary Credit Cooperative Society, which is registered under the Chhattisgarh Cooperative Societies Act, 1960 (for short 'the Act, 1960') and the petitioner has an alternative remedy of raising dispute under Section 55 (2) of the Act, 1960 before the Jurisdictional Registrar/Deputy Registrar, the writ petition is disposed of with a direction that in the event, the petitioner raises a dispute before the Jurisdictional Registrar/Deputy Registrar, within a period of 2 months from today, the said authority shall decide the dispute, at the earliest, preferably within a period of 6 months from the date of raising the dispute. Till the dispute raises by the petitioner remains pending before the authority, the interim order passed by this Court on 24.12.2014 shall remain in operation.

3. The respondent 5 was summoned by issuing non-bailable warrant. The Police Officer, who has brought the respondent No.5 before this Court is directed to release the respondent No.5 forthwith.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA