

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

C.W.P.No 3050 of 2001

Date of Decision: January 07, 2015

Punjab State Coop. Supply & Marketing Federation

....Petitioner

Versus

Registrar, Coop. Societies, Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Karminder Singh, Advocate
for the petitioner.

Mr.Yatinder Sharma, Addl.A.G.,Pb.

Rajan Gupta, J (Oral)

Petitioner has impugned order dated 29.11.1999 passed by Additional Registrar, Coop. Societies, Punjab whereby he set aside orders dated 16.6.1995 and 20.5.1998 passed by the authorities below.

According to learned counsel for the petitioner, Additional Registrar did not consider the fact that both the officials who were custodians of the wheat admitted shortage thereof. In view of same, recovery was ordered to be effected from them to be shared equally. Besides, punishment of stoppage of one annual increment without cumulative effect was imposed. Appeal preferred by the officials was also dismissed. However, on a revision petition being filed by the private respondents before the Additional Registrar Coop. Societies, the orders were set-aside by observing that the authorities had acted in little haste. According to him, order Annexure P/6 is based only on the contentions raised by private respondents before the authorities. It being short and

cryptic needs to be set-aside. He prays that the matter be remitted to the same authority for decision afresh.

This prayer is not opposed by learned counsel representing respondent Nos. 1 & 2. Private respondents remain unrepresented.

I am of the considered view that perusal of order Annexure P/6 passed by Additional Registrar, Coop. Societies does not show that all the aspects of the matter have been taken into consideration. The operative part of the order appears to be non-speaking in nature. Under the circumstances, same is hereby set-aside. Matter is remitted to same authority for decision afresh after affording opportunity of hearing to the affected parties.

Writ petition is allowed in the above terms.

(Rajan Gupta)
Judge

January 07, 2015
BB