

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

Date of Decision:-03.08.2015

(1) CWP No.22097 of 2014

Sukhbir Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(2) CWP No.22100 of 2014

Ram Kumar and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(3) CWP No.22119 of 2014

Surjeet Singh and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(4) CWP No.22125 of 2014

Harbans Lal and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(5) CWP No.22137 of 2014

Mam Chand and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(6) CWP No.2683 of 2015

Mahabir Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(7) CWP No.14447 of 2015

Satpal and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(8) CWP No.14467 of 2015

Kapoor Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(9) CWP No.14477 of 2015

Kashmiri Lal and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(10) CWP No.14937 of 2015

Parminder Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(11) CWP No.15094 of 2015

Ved Pal and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(12) CWP No.15152 of 2015

Maha Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(13) CWP No. 15692 of 2015

Gurdev Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(14) CWP No.15695 of 2015

Rameshwar Lal and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(15) CWP No.15696 of 2015

Gurnam Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(16) CWP No.15742 of 2015

Ram Nath and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(17) CWP No.15751 of 2015

Balkar Singh and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(18) CWP No.15764 of 2015

Mahi Pal Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(19) CWP No.15788 of 2015

Harpal Singh and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(20) CWP No.12510 of 2015

Paramjit Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(21) CWP No.12508 of 2015

Gurnaib Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(22) CWP No.13532 of 2015

Som Parkash and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(23) CWP No.13568 of 2015

Dev Raj and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(24) CWP No. 13569 of 2015

Sukhdev Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

(25) CWP No.13570 of 2015

Krishan Singh and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(26) CWP No.13572 of 2015

Shyam Lal and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(27) CWP No.13582 of 2015

Subhash Chand

.....Petitioner

Versus

State of Haryana and others

.....Respondents

(28) CWP No. 13783 of 2015

Krishan Lal and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(29) CWP No.13784 of 2015

Ashok Kumar and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(30) CWP No.13785 of 2015

Joginder Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

(31) CWP No.13789 of 2015

Arun Kumar and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(32) CWP No. 13848 of 2015

Sardara Ram

.....Petitioner

Versus

State of Haryana and others

.....Respondents

(33) CWP No.13913 of 2015

Kulwant Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

(34) CWP No.13914 of 2015

Pargat Singh and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(35) CWP No.13986 of 2015

Bir Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL.
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU.

Present:- Mr. S.S. Dalal, Advocate
Mr. Rajeev Sharma (Raju), Advocate
Mr. Vikramjit Singh, Advocate for
Mr. Aman Pal, Advocate,
Mr. Kuldip Singh, Advocate
for the petitioners.

Mr. Sandeep Moudgil, Addl. AG Haryana.

Mr. Pardeep Solath, Advocate.
Mr. R.L. Sharma, Advocate.

Mr. Karam Singh, Advocate
for respondent No.3 in CWP No.22097 of 2014.
Mr. C.P. Tiwana, Advocate
for respondent No.4-Society.

Mr.B.S. Budhwar, Advocate
for respondent No. 3 in CWP Nos.22119,22137,22100 of 2014.

Mr. R.S. Mamli, Advocate
for respondent No.3 in CWP No.22125 of 2014.

Mr. S.S. Momi, Advocate
for respondent No.4 in CWP Nos.13569, 13785 of 2015.

Mr. Mohinder Singh, Advocate
for respondent No. 4 in CWP No.13532 of 2015.

Mr. Madan Lal, Advocate
for respondent No.5 in CWP No.13532 of 2015.

SATISH KUMAR MITTAL, J.(Oral)

In these bunch of petitions, the petitioners who are working in different Societies i.e. Cooperative Credit and Service Societies (CCSS) and Primary Agriculture Cooperative Societies, have challenged Rule 5 of the Primary Agriculture Co-operative Societies Staff Service Rules, 2014, (hereinafter referred to as PACS Staff Service Rules, 2014) and its Sub-rule

the pay drawn by the petitioners before coming into force of the aforesaid Rules has been reduced and the excess amount paid to them has been ordered to be recovered. The petitioners have also challenged various resolutions passed by the different Cooperative Societies, who in pursuance of the aforesaid amendment have ordered recovery of the excess pay/amount from the petitioners.

Learned counsel for the petitioners today has placed on record the copy of the order dated 3.7.2015 passed by the Registrar Cooperative Societies, Haryana Panchkula. According to this order, a Committee comprising of officers has been constituted to examine the issue raised by PACS employees regarding amendment in PACS Staff Service Rules 2014. The said committee has been asked to submit the report with clear remarks and suggestions immediately so that action can be taken accordingly.

In view of the said development, learned counsel for the petitioners argued that at this stage let this matter be disposed of with liberty to the said Committee to consider the objections raised by the petitioners against the amendment of PACS Staff Service Rules 2014 and submit its report and till then no recovery be effected from them.

Learned counsel for the respondents have not disputed the factum of constitution of Committee by the Registrar, Cooperative Societies, for considering the amendment in PACS Staff Service Rules 2014.

In view of these facts and circumstances and after hearing learned counsel for the parties, we dispose of these writ petitions with the directions that let the Committee consider the issue raised by PACS

employees regarding amendment in PACS Staff Service Rules 2014 and give its report. Till the decision is taken on the said report by the respondents, no recovery be effected from the petitioners. If the report of the Committee goes against the petitioners, it will be open for them to avail their remedy in accordance with law.

**(SATISH KUMAR MITTAL)
JUDGE**

03.08.2015
reema

**(HARINDER SINGH SIDHU)
JUDGE**