

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

(1)

CWP No.4319 of 2015 (O&M)

Date of Decision: 14.12.2015

Madan Lal & others

.....Petitioners

Versus

State of Haryana & others

....Respondents

(2)

CWP No.4322 of 2015 (O&M)

Jagmohinder Singh & others

.....Petitioners

Versus

State of Haryana & others

....Respondents

(3)

CWP No.13272 of 2015 (O&M)

Jagdish & others

.....Petitioners

Versus

State of Haryana & others

....Respondents

(4)

CWP No.17424 of 2015 (O&M)

Ravinder Singh & others

.....Petitioners

Versus

State of Haryana & others

....Respondents

(5)

CWP No.18885 of 2015 (O&M)

Satbir & others

.....Petitioners

Versus

State of Haryana & others

....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MRS. JUSTICE REKHA MITTAL**

Present: Mr. Anil Rathee, Advocate
for the petitioners (in all the cases).

Ms. Tanisha Peshawaria, DAG, Haryana
for respondents No.1 and 2 (in all the cases).

Mr. Subhash Ahuja, Advocate
for respondents No.3 and 5
(CWP No.4319 of 2015),
for respondents No. 3 to 5
(CWP No.4322 of 2015) and
for respondents No.3 to 7
(CWP No.13272 of 2015).

Mr. Azad Singh, Advocate
for respondent No.4
(CWP No.18885 of 2015).

RAJIVE BHALLA, J (ORAL)

Counsel for the parties agree that as a common issue arises for adjudication, CWP Nos.4319, 4322, 13272, 17424 and 18885 of 2015, may be decided by a common order.

The dispute in the present case relates to the vires of Rule 5 and sub rule 4 of Rule 5 of the Primary Agriculture Cooperative Societies Staff Service Rules, 2014 (hereinafter referred to as “the Rules”). The petitioners also claim equal pay for equal work, as well as pray that recovery should not be effected during pendency of the writ petition.

Reply on behalf of respondent No.2 filed in Court today, is taken on record.

Counsel for the State of Haryana, counsel for the Central Cooperative Bank, Sonipat and counsel for the other respondents state that as the Registrar has constituted a

Committee to go into the pleas raised by the petitioners, the petitioners may be directed to appear before the Registrar, Cooperative Societies, Haryana, where they will be free to raise all such plea as may be available to them. The Registrar would also consider whether Rule 5 and sub rule 4 of Rule 5 of the Rules, need to be amended.

Counsel for the petitioners state that he has no objection to the aforesaid statements, but in the meanwhile the respondents should be directed not to effect any recovery and the petitioners' claim for equal pay for equal work, may be left open for the petitioners to agitate by way of a separate petition.

We have heard counsel for the parties and in view of statements made by counsel for the respondents as well as counsel for the petitioners, dispose of the writ petitions by granting liberty to the petitioners, to make a detailed representation, before the Committee constituted by the Registrar, Cooperative Societies, Haryana, setting out their exact grievance in relation to Rule 5 and sub rule 4 of Rule 5 of the Rules, within 15 days from today. The Committee constituted by the Registrar shall in the absence of any legal impediment submit its report within a month thereafter. Till the decision is taken by the Committee, the respondents are restrained from affecting any recovery. The petitioners' claim for equal pay for equal work, is left open for the petitioners to

raise by way of an independent petition, in accordance with law.

**[RAJIVE BHALLA]
JUDGE**

14.12.2015
Vinay

**[REKHA MITTAL]
JUDGE**