

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

Civil Revision No. 3920 of 2016(O&M)

Date of Decision: June 3 , 2016.

Bhagwan Singh

..... PETITIONER (s)

Versus

The Patti Chaudhary Primary Agriculture Cooperative
Society Ltd. and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This revision petition has been filed by Bhagwan Singh stating himself to be a share-holder of respondent No.1 i.e., The Patti Chaudhary Primary Agriculture Cooperative Society Ltd. The petitioner is aggrieved of order dated 17.05.2016 whereby the application moved by him alongwith one Randhir and Rajbir under Order 1 Rule 10 CPC has been dismissed.

It is contended that the petitioner is a necessary and proper party for adjudication of the suit which had been filed by the respondent/plaintiffs praying for suit for declaration to the effect that

order dated 06.02.2014 passed by the Deputy Registrar whereby certain resolutions extending certain service benefits to them have been set aside. The respondent/plaintiffs also prayed for consequential relief of permanent injunction restraining the defendants from withdrawing and reducing the benefits given to them by the abovesaid resolutions.

Learned counsel for the petitioner argues that the petitioner, being a member of the Society, is a share-holder in the property and has a definite interest in the affairs thereof. Reference is made to the definition of 'share' and 'interest' as contained in Section 2(sa) and 2(ja) of the Haryana Cooperative Societies Act, 1984. It is further averred that the Managing Committee of the Society is in collusion with the respondents, therefore, it is necessary to implead the petitioner as a party to the suit so that the Society's interest can be protected.

Having heard learned counsel for the petitioner and going through the file, I find no ground to interfere in the impugned order dated 17.05.2016 as the suit in question is admittedly for enforcing the resolutions granting certain service benefits to the employees (plaintiffs therein) working with the respondent-Society. The Deputy Registrar on 06.02.2014 has set aside the resolutions granting certain benefits in favour of the plaintiffs. The Deputy Registrar as well as Assistant Registrar, Cooperative Societies alongwith the State of Haryana are the defendants in the suit. The matter pertains to the service conditions of the plaintiffs and it has been rightly observed in the impugned order that the petitioner and the other applicants are neither necessary nor proper parties to the suit

in question.

Finding no infirmity, illegality or perversity in the impugned order dated 17.05.2016 passed by learned Additional Civil Judge(Senior Division), Kaithal, the present revision is dismissed being devoid of merit.

June 3 , 2016.
'om'

(LISA GILL)
JUDGE