

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.23229 of 2015
Date of decision: 20.01.2016

Rameshwar Lal and othersPetitioners

Versus

State of Haryana and othersRespondents

2. CWP No.22845 of 2015

Ram Chander and others Petitioners

Versus

State of Haryana and othersRespondents

3. CWP No.22890 of 2015

Surinder Singh and others Petitioners

Versus

State of Haryana and othersRespondents

4. CWP No.22850 of 2015

Balbir Singh and others Petitioners

Versus

State of Haryana and othersRespondents

5. CWP No.22852 of 2015

Giani Ram and others Petitioners

Versus

State of Haryana and anotherRespondents

6. CWP No.22855 of 2015

Shamsher Singh and others Petitioners

Versus

State of Haryana and othersRespondents

7. CWP No.22858 of 2015

Kuldeep Singh and others Petitioners

Versus

State of Haryana and othersRespondents

8. CWP No.22886 of 2015

Hakam Singh and others Petitioners

Versus

State of Haryana and othersRespondents

9. CWP No.22887 of 2015

Raj Kumar and others Petitioners

Versus

State of Haryana and othersRespondents

10. CWP No.22892 of 2015

Ramesh **Chand** and others Petitioners

Versus

State of Haryana and anotherRespondents

11. CWP No.22894 of 2015

Mahinder Singh and others Petitioners

Versus

State of Haryana and others

....Respondents

12. CWP No.22900 of 2015

Hira Lal and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

13. CWP No.22901 of 2015

Krishan Lal and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

14. CWP No.22903 of 2015

Jaimal Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

15. CWP No.22905 of 2015

Om Parkash and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

16. CWP No.22908 of 2015

Dalvir Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

17. CWP No.22909 of 2015

Hawa Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

18. CWP No.22921 of 2015

Rattan Lal and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

19. CWP No.23035 of 2015

Keshav Ram and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

20. CWP No.23036 of 2015

Paramjit Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

21. CWP No.23038 of 2015

Gurmail Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

22. CWP No.23070 of 2015

Ram Kala and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

23. CWP No.23082 of 2015

Raaghvinder Singh and others Petitioners

Versus

State of Haryana and others Respondents

24. CWP No.23100 of 2015

Sanjay Kumar and others Petitioners

Versus

State of Haryana and others Respondents

25. CWP No.23102 of 2015

Jasvir Singh and others Petitioners

Versus

State of Haryana and others Respondents

26. CWP No.23111 of 2015

Dandiya Ram and others Petitioners

Versus

State of Haryana and others Respondents

27. CWP No.23112 of 2015

Jasbir Singh and others Petitioners

Versus

State of Haryana and others Respondents

28. CWP No.23138 of 2015

Dharam Singh and others Petitioners

Versus

State of Haryana and others

....Respondents

29. CWP No.23182 of 2015

Shiv Kumar and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

30. CWP No.23187 of 2015

Randhir Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

31. CWP No.23193 of 2015

Ram Phal Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

32. CWP No.23194 of 2015

Ram Kumar Sharma and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

33. CWP No.23197 of 2015

Prem Chand and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

34. CWP No.23199 of 2015

Gurdev Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

35. CWP No.23201 of 2015

Angrej Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

36. CWP No.23206 of 2015

Natha Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

37. CWP No.23210 of 2015

Gurdeep Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

38. CWP No.23211 of 2015

Satbir Sharma and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

40. CWP No.23220 of 2015

Devi Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

41. CWP No.23224 of 2015

Satpal and others Petitioners

Versus

State of Haryana and othersRespondents

42. CWP No.23229 of 2015

Rameshwar Lal and others Petitioners

Versus

State of Haryana and othersRespondents

43. CWP No.23315 of 2015

Balbir Singh and others Petitioners

Versus

Haryana Vidyut Parsaran Nigam Limited and others
.....Respondents

44. CWP No.23343 of 2015

Jang Bahadur and others Petitioners

Versus

State of Haryana and othersRespondents

45. CWP No.23353 of 2015

Tejpal Singh and others Petitioners

Versus

State of Haryana and othersRespondents

46. CWP No.23734 of 2015

Amrik Singh and others Petitioners

Versus

State of Haryana and othersRespondents

47. CWP No.23847 of 2015

Bachan Singh Malik and others Petitioners

Versus

State of Haryana and othersRespondents

48. CWP No.23900 of 2015

Kesho Ram and another Petitioners

Versus

State of Haryana and othersRespondents

49. CWP No.23906 of 2015

Nasib Petitioner

Versus

State of Haryana and othersRespondents

50. CWP No.25186 of 2015

Rattan Singh and others Petitioners

Versus

State of Haryana and othersRespondents

51. CWP No.25188 of 2015

Prithavi Singh and others Petitioners

Versus

State of Haryana and othersRespondents

52. CWP No.26674 of 2015

Randhir Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

53. CWP No.26738 of 2015

Virender Kumar and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

54. CWP No.23071 of 2015

Balbir Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

55. CWP No.23034 of 2015

Nafe Singh and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

56. CWP No.24652 of 2015

Subhash Chander and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

57. CWP No.24653 of 2015

Ved Parkash and others

.... Petitioners

Versus

State of Haryana and others

....Respondents

58. CWP No.24654 of 2015

Mahipal and others Petitioners

Versus

State of Haryana and othersRespondents

59. CWP No.24662 of 2015

Gurmeet Singh and others Petitioners

Versus

State of Haryana and othersRespondents

60. CWP No.24668 of 2015

Rameshwar Das and others Petitioners

Versus

State of Haryana and othersRespondents

61. CWP No.26854 of 2015

Balbir Singh and others Petitioners

Versus

State of Haryana and othersRespondents

62. CWP No.26859 of 2015

Om Parkash and others Petitioners

Versus

State of Haryana and othersRespondents

63. CWP No.26861 of 2015

Bhim Singh and others Petitioners

Versus

State of Haryana and othersRespondents

64. CWP No.26876 of 2015

Suraj Bhan and others Petitioners

Versus

State of Haryana and othersRespondents

65. CWP No.26904 of 2015

Joginder Singh and others Petitioners

Versus

State of Haryana and othersRespondents

66. CWP No.23835 of 2015

Vajeer Chand and others Petitioners

Versus

State of Haryana and othersRespondents

67. CWP No.25183 of 2015

Shish Pal and others Petitioners

Versus

State of Haryana and othersRespondents

CORAM: HON’BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rajeev Sharma, Advocate
for the petitioners (in CWP Nos.22845, 22890, 22845,
22850, 22852, 22855, 22858, 22886, 22887, 22892,
22894, 22900, 22901, 22903, 22905, 22908, 22909,
22921, 23187, 23193, 23194, 23197, 23199, 23206,
23210, 23211, 23224, 23343, 23353, 23734, 23847,
25186, 25188, 26674, 26738, 25183 of 2015 and 1202,

1303, 1293, 1291, 1270, 1249 of 2016)

Mr. Kuldeep Singh, Advocate
for the petitioners (in CWP Nos.23035, 23036, 23038,
23070, 23082, 23100, 23102, 23111, 23112, 23138,
23182, 23201, 23220, 23229, 23071, 23034, 24652,
24653, 24654, 24662, 24668, 26854, 26859, 26861,
26876, 26904 of 2015)

Mr. R.K. Agnihotri, Advocate
for the petitioners (in CWP No.23900, 23906 and
23835 of 2015)

Mr. Keshav Gupta, AAG, Haryana
for the respondent-State (in all the cases)

Mr. Sandeep Panwar, Advocate for respondent No.6
(in CWP Nos.23111 and 23112 of 2015)
and for respondent No.5
(in CWP Nos.22852, 22905,22894 and 22855 of 2015)

Mr. C.P. Tiwana, Advocate for respondent No.6
(in CWP Nos.23138 of 23229 of 2015)

Mr. Madan Pal, Advocate for respondent No.6
(in CWP Nos.23900, 23906, 23035, 23036, 23082,
23100, 25188, 24652, 24654, 24662, 26854, 26859,
26904, 26876, 23835 and 23343 of 2015)

Mr.Padamkant Dwivedi,Advocate for respondent No.5
(in CWP No.23206 of 2015)

Mr. Ramesh Sharma, Advocate
for respondent-Karnal Central Co-op. Bank
(in CWP Nos.23343, 23900,23906 and 25188 of 2015)

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?

RITU BAHRI J. (Oral)

The petitioners have filed the aforesaid civil writ

petitions under Article 226/227 of the Constitution of India for issuance of a writ in the nature of Certiorari thereby quashing the impugned order dated 01.10.2015 (Annexure P-9) vide which the Assistant Registrar, Co-operative Societies, Karnal, has directed to fix the pay of the petitioners as per Rule 5 of the Primary Agriculture Co-operative Societies Staff Service Rules, 2014.

Reference can be made to the order passed by Division Bench of this Court in **CWP No.22097 of 2014**, titled as ***“Sukhbir Singh and others vs State of Haryana and others”***, decided on 03.08.2015 (Annexure P-6) wherein, the petitioners who were working in different societies. i.e. Co-operative Credit and Service Societies (CCSS) and Primary Agriculture Co-operative Societies, have challenged Rule 5 of the Primary Agriculture Co-operative Societies Staff Services Rules, 2014 and its Sub-rule (4), framed by the Registrar, Co-operative Societies, Haryana, whereby the pay drawn by the petitioners before coming into force of the aforesaid Rules was reduced and the excess amount paid to them was ordered to be recovered. While disposing of the said writ petition i.e. CWP No.22097 of 2014 on 03.08.2015, the Division Bench of this Court gave directions that let the Committee consider the issue raised by Primary Agriculture Co-operative Societies employees regarding amendment in PACS Staff Service Rules, 2014 and gave its report. However, it was further ordered that no recovery was to be effected from the

petitioners till the report was submitted by the Committee and if, the report of the Committee goes against the petitioners, it will be open for them to avail their remedy in accordance with law.

In the present case as well, the petitioners are seeking quashing of the order dated 01.10.2015 (Annexure P-9) whereby the Assistant Registrar, Co-operative Societies, Karnal, has given directions to fix the pay of the petitioners/employees as per Rule 5 of the Primary Agriculture Co-operative Societies Staff Service Rules, 2014.

All the writ petitions are being disposed of in view of the order dated 03.08.2015 passed by Division Bench of this Court. All the petitioners can raise their objections with regard to the impugned order dated 01.10.2015 (Annexure P-9) before the Committee constituted as per order dated 03.08.2015. However, a direction is being given to the Committee constituted by the Registrar, Co-operative Societies, to give its final report in view of the order dated 01.10.2015 (Annexure P-9).

(RITU BAHRI)
JUDGE

20.01.2016

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