

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

Amit Kumar
2016.11.10 17:43
I attest to the accuracy and
integrity of this document

**Civil Writ Petition No. 23352 of 2016
Date of Decision: 10.11.2016**

M/s Shree Om Swastik Enterprises, through its sole proprietor Smt. Tripta

.....Petitioner

Vs.

Registrar, Cooperative Societies, Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Surender Singh Dalal, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the impugned communication dated 26.10.2016 (Annexure P-7), petitioner has approached this Court by way of present writ petition under Articles 226/227 of the Constitution of India, seeking a writ in the nature of Certiorari. Petitioner also seeks an appropriate direction to the respondent authorities to allow it to continue till an appropriate policy is framed and finalised, in compliance of Annexure P-8.

Having heard the learned counsel for the petitioner at some length and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, present writ petition is disposed of with a direction to the Registrar Cooperative Societies, Haryana-respondent No.1 that if the petitioner approaches him by moving an appropriate and comprehensive representation within a period of one week from today, he shall consider the same, appreciate the grievance raised by the petitioner and shall pass an appropriate order thereon, at an early date, strictly in accordance with law, but in any case within a period of two months from the date of receipt of representation from the petitioner.

While passing the appropriate order, the Registrar Cooperative Societies, Haryana-respondent No.1 shall also keep in view the communication dated 26.10.2016 (Annexure P-6), addressed to him by the respondent-Bank raising its bonafide apprehension that if the petitioner is not allowed to continue any further, smooth functioning of the Bank shall come to a standstill. It also deserves to be noticed here that in compliance of Annexure P-8, an appropriate policy was to be finalised by the Registrar Cooperative Societies, Haryana-respondent No.1 and in this view of the matter, he shall consider this aspect also, while taking appropriate action on the representation filed by the petitioner.

However, keeping in view the peculiar facts and circumstances of the case, noted above, particularly letter dated 26.10.2016 (Annexure P-6), issued by the General Manager, The Faridabad Central Cooperative Bank Ltd. Faridabad, operation of the communication dated 20.10.2016 (Annexure P-5), issued by Registrar Cooperative Societies, Haryana-respondent No.1 to the Deputy Registrar Cooperative Societies, Haryana, shall remain in abeyance qua the petitioner, so that smooth functioning of the respondent-Bank is not adversely affected.

With the abovesaid observations made and directions issued, present petition stands disposed of.

10.11.2016
Ak Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No