

CWP No.26134 of 2015

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

CWP No.26134 of 2015

Date of Order: 06.12.2016

Darshan Singh & Ors.

....Petitioners

Versus

State of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. GS. Jagpal, Advocate for
Mr. TPS Tung, Advocate for the petitioners.

Mr. Harkesh Manuja, Addl.A.G, Punjab.

Mr. Ravinder Singh, Advocate for respondent No.5.

JASWANT SINGH, J (ORAL)

The four petitioners, who are employed as Secretary, Salesman, Peon and Chowkidar respectively with The Dehla Multipurpose Co-operative Agriculture Service Society Ltd, District Sangrur (for brevity "the Society"), seek a writ of Mandamus directing respondent No.5 for release of their salaries due w.e.f 01.12.2014.

Upon notice, reply on behalf of respondent No.5 has been filed wherein it is stated that the Society is not receiving any financial aid from the Government and as such, does not fall within the definition of Local Authority as defined under Article 12 of the Constitution, thus, it is stated that no writ is maintainable against it.

A reason for not release of the salary is stated to be the issue being pending with the Assistant Registrar regarding legality and propriety of the appointment of the petitioners. It is, thus, submitted that proper remedy for the petitioners is to approach the Authorities under the Cooperative Act. In support of his submissions, learned counsel for respondent No.5 cites a judgment of this Court reported as **Davinder Singh Bajwa Vs. State of Punjab and another 2015 (3) PLR 540.**

In the light of the stand of respondent No.5 in the written statement, learned counsel for the petitioner craves the indulgence of this Court to withdraw the writ petition to enable his client to seek appropriate remedy in accordance with law.

Dismissed as withdrawn with the aforesaid liberty.

December 06, 2016
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No