

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

CWP No.3889 of 2013 (O&M)

Date of decision: 19.01.2016

Hari Om Sharma

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: None for the petitioner.

Mr. Parvinder Singh Chauhan, Addl. A.G., Haryana.

Mr. Subhash Ahuja, Advocate,
for respondent Nos. 3 and 4.

RITU BAHRI, J.

The petitioner is seeking quashing of the order dated 29.12.2012 (Annexure P-11), whereby the Registrar, Co-operative Societies, Haryana, has rejected the representation of the petitioner by declining his request to be absorbed in the Gurgaon Central Co-operative Bank Ltd. as per resolution dated 26.07.1994 as per Haryana State Co-operative Societies Act, 1984.

On notice, reply has been filed on behalf of respondent Nos. 3 and 4, in which, it has been stated that there is no provision for recruitment of Clerks by way of transfer from other Societies. The petitioner cannot claim parity of supervisors with clerks. There is qualitative difference in the functioning of supervisors working in the respondent-bank and the supervisors working in the Farmers Societies. The service conditions of the petitioner are governed by a different set of rules and not by the Haryana State Central Co-operative Bank's Staff Service (Common Cadre) Rules, 1975. The bank has declined the request of the petitioner for absorption,

vide resolution dated 19.04.2011.

Learned counsel for respondent Nos. 3 and 4 has further informed that the petitioner has since retired on 31.01.2013.

The Board of Directors of the bank, vide resolution dated 19.04.2011, has rejected the request off the petitioner for absorption. Furthermore, the Registrar, Co-operative Societies, as per order (Annexure P-11) has rejected his claim by holding that the Ujina Farmers Service Co-operative Society was not amalgamated society in the Gurgaon Central Co-operative Bank and hence, it was not possible to absorb the service of the petitioner as supervisor in the bank. Moreover, there is no sanctioned post of supervisor in the respondent-bank and the Board of Directors was competent to take a decision for absorption of the petitioner in the bank. Since, the petitioner had already retired before filing of the present petition, there is no merit in the same.

Resultantly, this petition is dismissed.

(RITU BAHRI)
JUDGE

19.01.2016.
ajp