

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

Sr. No.102

CWP No.6080 of 2015

Date of decision: 11.03.2016

Balkar Singh and others

....Petitioners

versus

Registrar Cooperative Societies, Haryana, and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Kuldip Singh, Advocate
for the petitioners.

* * *

DEEPAK SIBAL, J. (Oral)

After hearing counsel for the petitioners and perusing the record with his able assistance, the relevant facts which have emerged are that through resolution dated 28.01.2013 (Annexure P-6), respondent No.3- The Naneola Primary Agriculture Cooperative Society Limited (hereinafter referred to as the 'Society') had resolved to grant certain increments/benefits to the petitioners. However, through order dated 20.08.2014 (Annexure P-7), the Deputy Registrar Cooperative Society, Kurukshetra, directed the respondent-Society to rescind the above referred resolution. Since the order dated 20.08.2014 (Annexure P-7) was to the prejudice of the petitioners' right as it sought to withdraw the increments/benefits granted to them, they filed an appeal against the same before respondent No.1-Registrar Cooperative Societies, Haryana. During the pendency of the appeal, the present writ petition has been filed seeking a direction to stay the operation of the order dated 20.08.2014 (Annexure P-7).

Once a statutory appeal has been filed before the Registrar Cooperative Societies, Haryana, against the order dated 20.08.2014 (Annexure P-7) passed by the Deputy Registrar Cooperative Society, Kurukshetra, it is proper for the petitioners to seek interim order from that authority where their appeal is pending for which they are at liberty to do so.

Nonetheless, the record reveals that a statutory appeal as referred to above was filed on 20.10.2014 and even after the passage of over about one and a half years, the same remains pending. It is not desirable that a statutory appeal should remain pending for an unjustifiable long duration especially when the appellants (petitioners herein) are clamouring for interim relief.

In view of the facts as noticed above, respondent No.1- Registrar Cooperative Societies, Haryana, is directed to decide the appeal filed by the petitioners against the order dated 20.08.2014 (Annexure P-7) passed by the Deputy Registrar Cooperative Societies, Kurukshetra, expeditiously but not later than two months from the date of receipt of a certified copy of this order, by passing a well reasoned and speaking order and after affording opportunity of hearing to the petitioners.

Needless to add that the decision so taken be communicated to the petitioners and if the decision is not to the satisfaction of the petitioners, they would be at liberty to challenge the same, in accordance with law.

(DEEPAK SIBAL)
JUDGE

March 11, 2016

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