

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 7247 of 2009**

- G.C. Shukla S/o Late Sanjay Prasad Shukla, Aged About 56 Years Ex Senior Supervisor, (Compulsory Retired), Zila Sahakari Krishi Aur Gramin Vikas Bank Maryadit, Bilaspur, Branch Marwahi R/o Nehru Nagar, Janta Quarter E W S 69, Bilaspur, Tahsil And District Bilaspur (Chhattisgarh).

---- Petitioner**Versus**

1. The State of Chhattisgarh Through The Secretary, Co-Operative Department, Mantralaya At D. K. S. Bhawan, Raipur (Chhattisgarh).
2. The Registrar Co-Operative Societies, Vivekanand Complex, Pension Bada, Raipur (Chhattisgarh).
3. The Chairman, District Central Co-Operative Bank Maryadit Bilaspur, Near Nehru Chowk, Post Bilaspur, Tehsil & District Bilaspur (Chhattisgarh).
4. The Chief Executive Officer, District Central Co-Operative Bank Maryadit Bilaspur, Near Nehru Chowk, Post Bilaspur, Tehsil & District Bilaspur (Chhattisgarh).

---- Respondents

For Petitioner	:	None
For Respondents-State	:	Shri Shashank Thakur, GA for the State
For Respondent No.3 & 4	:	Shri Vikas Pandey, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****09/05/2017**

1. Perused.
2. By the impugned order, the petitioner has been compulsorily retired in public interest in accordance with Rule 71 (1) of the Sahkari Krishi Evam Gramin Vikas Bank Seva Niyam. The respondent-Bank has now been merged with the District Central Co-operative Bank Limited, Bilaspur.

3. Respondent No.3 & 4 have rightly raised a preliminary objection that the petitioner has a statutory alternative remedy under Section 55 (2) read with Section 64 of the Chhattisgarh Co-operative Societies Act, 1960 (for short 'the Act, 1960') for raising a dispute before the jurisdictional Registrar, as the present is a service matter.
4. Accordingly, the writ petition is dismissed as not maintainable reserving liberty in favour of the petitioner to raise the dispute under Section 55 (2) of the Act, 1960. If such dispute is filed by the petitioner within a period of 3 months from today, the Deputy Registrar shall decide the same on merits without raising any objection as to the limitation.

Sd/-

Judge

Prashant Kumar Mishra

Ashu