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HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2522 of 2017

- Fagu Ram Bariha S/o Late Shri Munchu Ram Bariha, Aged About 55 Years, Working as a Manager Krishak Seva Sahakari Sahakari Pithora, Registration No. 1191, Police Station: Pithora, District Mahasamund (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through: The Secretary, Cooperative Society, Mantralaya Mahanadi Bhawan, New Raipur (Chhattisgarh).
2. The Joint Registrar, Sahakari Co-operative Department Raipur Division Raipur, In front of Lal Ganga Shopping Complex G. E. Road Raipur (Chhattisgarh).
3. The Chief Executive Officer, Jila Sahakari Kendriya Bank Maryadit, Raipur District Raipur (Chhattisgarh).
4. Nodal Officer, Jila Sahakari Kendriya Bank, Branch Baloda Bazar, District Baloda Bazar- Bhatapara (Chhattisgarh).
5. The President/ Competent Officer, Seva Sahakari Samiti Maryadit, Devri Nagedi, Block Kasdol, District Baloda Bazar- Bhatapara (Chhattisgarh).

---- Respondents

For Petitioner – Shri S.K.Dadsena, Advocate.

For Respondent No.1 – Shri Satish Gupta, Govt. Advocate, on advance copy.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

07-06-2017

1. At the outset, learned counsel for respondent No.1 would submit that the instant WPS is not maintainable as under Section 78 of the Chhattisgarh Co-operative Societies Act, 1960 a remedy to file appeal is available, hence, the instant WPS is premature without availing the forum available to the petitioner.
2. Learned counsel for the petitioner would submit that he may be permitted to file appeal as provided in the said act and the instant WPS may be disposed of as withdrawn without any appreciation on its merit.
3. As prayed on behalf of the petitioner, the instant WPS is disposed of as withdrawn without any appreciation on its merit reserving the liberty of the petitioner available under the law.
4. The certified copy of the impugned order (Annexure-P/1) filed by the

petitioner be returned to the petitioner after retaining authenticated photocopy in the matter.

5. The WPS disposed of.

Sd/-
(Chandra Bhushan Bajpai)
Vacation Judge

Aadil