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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1982 of 2017**

- Shashank Shekhar Dubey S/o. Chandrashekhar Dubey, Aged About 26 Years R/o. Arvind Nagar, Bandhwapara, Sarkanda, Bilaspur, District Bilaspur (Chhattisgarh)

---- **Petitioner****Versus**

1. State of Chhattisgarh Through : Secretary, Cooperative, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur (Chhattisgarh).
2. Registrar, Cooperative Societies, Raipur, District Raipur, Chhattisgarh
3. Joint Registrar, Cooperative Societies, Bilaspur Division, District Bilaspur (Chhattisgarh)
4. Deputy Registrar, Cooperative Societies, Bilaspur Division, District Bilaspur (Chhattisgarh)
5. Chief Executive Officer, District Cooperative Central Bank Limited, Head Office, Bilaspur, District Bilaspur (Chhattisgarh)
6. District Cooperative Central Bank Limited, Through : Its Chief Executive Officer, Head Office, Bilaspur, District Bilaspur (Chhattisgarh)

---- **Respondent****And****WPS No. 2013 Of 2017**

- Pramod Dewangan S/o Amritlal Dewangan, Aged About 29 Years R/o House No. E-20, K-2 Vihar, H T P S Colony, Darri, Jamnipali, District Korba (Chhattisgarh).

---- **Petitioner****Vs**

1. State of Chhattisgarh Through : Secretary, Cooperative, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur (Chhattisgarh).
2. Registrar, Cooperative Societies, Raipur, District Raipur (Chhattisgarh).
3. Joint Registrar, Cooperative Societies, Bilaspur Division, District Bilaspur (Chhattisgarh).
4. Deputy Registrar, Cooperative Societies, Bilaspur Division, District Bilaspur

(Chhattisgarh).

5. Chief Executive Officer, District Cooperative Central Bank Limited, Head Office, Bilaspur, District Bilaspur (Chhattisgarh).
6. District Cooperative Central Bank Limited, Through Its Chief Executive Officer, Head Office, Bilaspur, District Bilaspur (Chhattisgarh).

---- Respondent

And

WPS No. 2004 Of 2017

- Prafull Kashyap S/o Shiv Kumar Kashyap, Aged About 30 Years R/o Gram Pand Post Saidha, District Bilaspur (Chhattisgarh)

---- Petitioner

Vs

1. State of Chhattisgarh Through : The Secretary, Department Of Cooperative Societies, Ministry, Mahanadi Bhawan, Naya Raipur, P O & P. S. Rakhi, District Raipur (Chhattisgarh)
2. Registrar, Cooperative Societies, Indiravati Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
3. Commissioner (Revenue), Bilaspur Division Bilaspur, District Bilaspur (Chhattisgarh)
4. Zila Sahakari Kendriya Bank Maryadit, Bilaspur, Through Chief Executive Officer Bilaspur, Nehru Chowk, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondent

And

WPS No. 2008 Of 2017

- Topesh Kumar Vastrakar S/o Shri Baran Lal Vastrakar, Aged About 26 Years R/o Chakrakund, Ganyari, Tehsil- Takhatpur, District- Bilaspur, Chhattisgarh.

---- Petitioner

Vs

1. State of Chhattisgarh Through: The Secretary, Department Of Cooperative Societies, Ministry, Mahanadi Bhawan, Naya Raipur, P O & Police Station Rakhi, District- Raipur, Chhattisgarh.
2. Registrar, Cooperative Societies, Indiravati Bhawan, Naya Raipur, District Raipur (Chhattisgarh)

3. Commissioner (Revenue), Bilaspur Division Bilaspur, District Bilaspur (Chhattisgarh)
4. Zila Sahakari Kendriya Bank Maryadit, Bilaspur, Through Chief Executive Officer Bilaspur, Nehru Chowk, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondent

And

WPS No. 2005 Of 2017

- Turendra Kumar Sahu S/o Shri Shyam Lal Sahu, Aged About 28 Years R/o Village Bade Sipat, Tehsil Malkharoda, District Janjgir Champa (Chhattisgarh)

---- Petitioner

Vs

1. State of Chhattisgarh Through : The Secretary, Department Of Cooperative Societies, Ministry, Mahanadi Bhawan, Naya Raipur, P O & P. S. Rakhi, District Raipur (Chhattisgarh)
2. Registrar, Cooperative Societies, Indiravati Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
3. Commissioner (Revenue), Bilaspur Division Bilaspur, District Bilaspur (Chhattisgarh)
4. Zila Sahakari Kendriya Bank Maryadit, Bilaspur, Through Chief Executive Officer Bilaspur, Nehru Chowk, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondent

And

WPS No. 1997 Of 2017

- Suman Yadav S/o Shri Ghanshyam Yadav, Aged About 28 Years R/o H. No. 103, Ward No. 27, Bhadarapara, Balco, Korba (Chhattisgarh)

---- Petitioner

Vs

1. State of Chhattisgarh Through : The Secretary, Department Of Cooperative Societies, Ministry, Mahanadi Bhawan, Naya Raipur, P O & P. S. Rakhi, District Raipur (Chhattisgarh)
2. Registrar, Cooperative Societies, Indiravati Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
3. Commissioner (Revenue), Bilaspur Division Bilaspur, District Bilaspur

(Chhattisgarh)

4. Zila Sahakari Kendriya Bank Maryadit, Bilaspur, Through Chief Executive Officer Bilaspur, Nehru Chowk, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondent

And

WPS No. 2014 Of 2017

- Manoj Madhukar S/o Shri Shyam Lal Madhukar, Aged About 33 Years R/o Q. No. E- 255 Kailash Vihar, H T P S Colony Darri, Korba (Chhattisgarh).

---- Petitioner

Vs

1. State of Chhattisgarh Through : The Secretary, Department Of Cooperative Societies, Ministry, Mahanadi Bhawan, Naya Raipur, P O & P. S. Rakhi, District Raipur (Chhattisgarh).
2. Registrar, Cooperative Societies, Indrawati Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
3. Commissioner (Revenue), Bilaspur Division Bilaspur, District Bilaspur (Chhattisgarh).
4. Zila Sahakari Kendriya Bank Maryadit, Bilaspur, Through Chief Executive Officer Bilaspur, Nehru Chowk, Bilaspur, District Bilaspur (Chhattisgarh).

---- Respondent

And

WPS No. 2010 Of 2017

- Narendra Kumar Mishra S/o Prabhu Shekhar Mishra, Aged About 30 Years R/o F- 1387 Everest Vihar Cseb Colony Westt Darri District- Korba, Chhattisgarh.

---- Petitioner

Vs

1. State of Chhattisgarh Through: The Secretary Department Of Cooperative Societies, Ministry, Mahanadi Bhawan, Naya Raipur, Post Office & Police Station Rakhi, District Raipur, Chhattisgarh.
2. Registrar, Cooperative Societies, Indrawati Bhawan, Naya Raipur, District- Raipur, Chhattisgarh.
3. Commissioner (Revenue), Bilaspur Disvision Bilaspur, Distict Bilaspur, Chhattisgarh.

4. Zila Sahakari Kendriya Bank Maryadit, Bilaspur, Through Chief Executive Officer Bilaspur, Nehru Chowk, Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

And

WPS No. 1999 Of 2017

- Samesh Patel S/o Shri Radhe Shyam Patel, Aged About 26 Years R/o Village & Post Sarvani, Block Bilha, District Bilaspur (Chhattisgarh).

---- Petitioner

Vs

1. State of Chhattisgarh Through : The Secretary, Department Of Cooperative Societies, Ministry, Mahanadi Bhawan, Naya Raipur, P O & P. S. Rakhi, District Raipur (Chhattisgarh).
2. Registrar, Cooperative Societies, Indrawati Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
3. Commissioner (Revenue), Bilaspur Division Bilaspur, District Bilaspur (Chhattisgarh).
4. Zila Sahakari Kendriya Bank Maryadit, Bilaspur, Through Chief Executive Officer Bilaspur, Nehru Chowk, Bilaspur, District Bilaspur (Chhattisgarh).

---- Respondent

And

WPS No. 2016 Of 2017

- Rajesh Kumar Liberty S/o Gure Lal Liberty, Aged About 27 Years R/o Village Amshena, Post Sakrra, Tahsil Takhatpur, District Bilaspur (Chhattisgarh)

---- Petitioner

Vs

1. State of Chhattisgarh Through : The Secretary, Department Of Cooperative Societies, Ministry, Mahanadi Bhawan, Naya Raipur, P O & P. S. Rakhi, District Raipur (Chhattisgarh)
2. Registrar, Cooperative Societies, Indiravati Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
3. Commissioner (Revenue), Bilaspur Division Bilaspur, District Bilaspur (Chhattisgarh)
4. Zila Sahakari Kendriya Bank Maryadit, Bilaspur, Through Chief Executive

Officer Bilaspur, Nehru Chowk, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondent

For Respective Petitioners	:	Shri Mateen Siddiqui and Shri Prasoon Agrawal, Advocates
For Respondents-State	:	Shri SP Kale, Dy. AG for the State
For Respondent/ District Cooperative Central Bank	:	Shri Jitendra Shrivastava, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

27/04/2017

1. After arguing for sometime, learned counsel for the petitioners, seeks permission of this Court to withdraw these petitions with liberty to move duly constituted dispute before the jurisdictional Registrar under Section 55(2) of the C.G. Cooperative Societies Act, 1960.
2. Learned State counsel would inform that as per the Notification issued by the Registrar, the term "Registrar" occurring in Section 55(2) would include the office of Joint Registrar or Deputy Registrar.
3. Since the petitioners have been bonafidely litigating before this Court and thereafter, before the State Cooperative Tribunal, upon grant of liberty by this Court, if the petitioners raise dispute under Section 55(2), the concerned Registrar shall entertain the dispute on merits without raising the plea of limitation.
4. Accordingly, the writ petitions are dismissed, as withdrawn with the aforesaid liberty granted in favour of the petitioners.
5. The petitioners apprehend that the order of termination passed against the petitioners having its genesis in the enquiry report submitted by a team of Registrars, which in turn includes Additional Registrar or Joint Registrar, the persons, who were involved in the process of earlier enquiry, may not adjudicate the dispute with an open mind.

6. If the jurisdictional Deputy Registrar, before whom, the dispute would be raised by the petitioners pursuant to the termination order, was in any manner a party to the earlier enquiry, the petitioner would be at liberty to move an application before the Registrar, Cooperative Societies, Chhattisgarh for transferring the dispute to any other Deputy Registrar or Joint Registrar in the State, who was not party to the earlier enquiry.
7. In such eventuality, the Registrar, Cooperative Societies, Chhattisgarh, shall pass necessary orders to transfer the dispute to any other Deputy Registrar or Joint Registrar, who was not a party in the earlier enquiry.

Sd/-

Judge
Prashant Kumar Mishra

Ashu