

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

CWP No. 17124 of 2001 (O&M)

Date of decision: 16.5.2017

Sukhchain Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: None for the petitioner.

Mr. Rahul Sharma, Advocate,
for the respondents.

JAISHREE THAKUR, J.

1. The petitioner herein by way of the instant writ petition is seeking a writ in the nature of mandamus directing absorption against vacant posts with the respondents Punjab State Cooperative Agricultural Development Bank or the Sangrur Central Cooperative Bank.

2. In brief, the facts are that the petitioner was working in Budhlada Sugar Mills which came into liquidation on account of suffering losses as far back as 31.3.1994 and subsequent thereto a liquidator was also appointed. The Registrar Co-operative Societies, vide a memo letter dated 25.11.1997, requested the Co-Operative Societies under the Punjab State to adjust the petitioner and other surplus staff of the Budhlada Cooperative Sugar Mill as the petitioner was not absorbed against vacant post and since he had not been paid salary since October 1994 the instant writ petition was filed claiming salary as well as absorption.

3. None has put in appearance on behalf of the petitioner despite

the fact that the matter was called twice. Even on earlier occasion, there has been no representation of behalf of the petitioner despite the registry informing counsel about the date fixed for the 23.2.2017.

4. Mr. Rahul Sharma, learned counsel appearing on behalf of respondent No. 4, submits that as per record available retrenchment compensation has already been paid to the petitioner on 26.03.2010 amounting to a sum of ₹44,982/- as full and final settlement. As regards the question of absorption, it is submitted that Budhlada Cooperative Sugar Mills Ltd was an independent Co-operative Society and it would not be possible to adjust the petitioner with the bank in view of a ban that had been imposed on recruitment. A similar stand has been taken by respondent No.

5.

5. On account of efflux of time, this court is unable to issue any such directions for absorption of the petitioner being surplus based merely on a letter issued in 1997. In any case, it appears that the petitioner is not keen in pursuing the writ by the petition.

6. Therefore, this writ petition is dismissed, leaving it open to the petitioner to approach the liquidator, if any grievances still survives.

16.5. 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No