

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.8053 of 1998
Date of Decision:-25.04.2017.

Raj Kumar Mann

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. A.P.S. Shergill, Advocate and
Mr. Atul Kaushik, Advocate and
Mr. R.S. Mann, Advocate for the petitioner.

Mr. Hitesh Pandit, Additional A.G. Haryana.

Mr. C.B. Goel, Advocate for respondent Nos.3 and 4.

P.B. BAJANTHRI, J. (Oral)

The petitioner has questioned the validity of order dated 15/20.4.1998 (Annexure P-19) by which Managing Director exercising the powers of Registrar of Cooperative Societies, Haryana rejected the creation of post of Safety Officer and pay scale. Further sought for a direction to the respondents to grant pay scale for the post of Safety Officer as decided by the Board of Directors in its meeting held on 28.5.1997. The petitioner while working as a Foreman, there was a proposal for creation of Safety Officer post and also fixation of pay to the said post. In this regard, various litigations have been filed before different authorities. On 30.9.1993, Financial Commissioner and Secretary to Government of Haryana

Cooperation Department in appeal No.18 of 1993 held that the petitioner

should be appointed as Safety Officer w.e.f. 4.9.1989 as per the bond executed by him with the Mills before he was sent on training on the score that the petitioner has cleared concerned test on 4.9.1989. The same has not been taken note of while rejecting for giving approval for the creation of post of Safety Officer and pay scale by the Managing Director exercising the powers of Registrar of Cooperative Societies, Haryana vide Annexure P-19 dated 15/20.4.1998 (Annexure P-19). Thus, Annexure P-19 dated 15/20.4.1998 is hereby set aside and the matter is remanded to the Registrar, Cooperative Societies, Haryana for reconsideration relating to approval for creation of post of Safety Officer and pay scale from retrospective date and further for consideration of the petitioner's claim as held by the Financial Commissioner and Secretary to Government of Haryana on 30.9.1993 (Annexure P-10). The above exercise shall be completed by the Registrar of Cooperative Societies or Managing Director exercising the power of Registrar Cooperative Societies within a period of 3 months from today.

Petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

April 25, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.