

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

CWP No.21941 of 2017 (O&M)

Date of Decision: 26.09.2017

Kashmir Singh

....Petitioner

vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Harbans Sharma, Advocate
for the petitioner.

TEJINDER SINGH DHINDSA, J. (Oral)

Vide decision contained in resolution dated 13.08.2015 (Annexure P-9), the petitioner, who was serving as Secretary of The Lalleana Multipurpose Cooperative Agriculture Service Society Limited, was dismissed from service. Against the resolution dated 13.08.2015, the petitioner is stated to have filed an appeal before the Deputy Registrar, Cooperative Societies, Bathinda.

The short prayer made in the instant petition is for directing the respondent-authorities to take a final decision on the appeal.

Having heard counsel for the petitioner at length, this Court is of the considered view that the prayer made by the counsel is just and reasonable.

Under the Punjab State Cooperative Agricultural

Service Society Service Rules 1997, Rule 14 defines the various penalties that may be imposed upon an employee by the Competent Authority. Removal or dismissal from service is one of the major punishment enumerated under Rule 14. Rule 15 provides for an appeal before the Deputy Registrar, Cooperative Societies, against any of the penalties specified in Rule 14.

The appeal dated 01.09.2015 (Annexure P-10) is a statutory remedy that the petitioner has availed of. The same would be construed as a substantive remedy. It would thus be imperative for the Deputy Registrar concerned to examine the appeal in accordance with law and to take a final decision thereupon.

Without going into the merits of the case, the instant writ petition is disposed of with a direction to respondent No.3 i.e. Deputy Registrar, Cooperative Societies, Bathinda, to take a final decision on the appeal dated 01.09.2015 (Annexure P-10) expeditiously and in any case within a period of three months from the date of receipt of certified copy of this order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

26.09.2017
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***Whether speaking/reasoned* : Yes**
***Whether reportable* : No**