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

**CWP-27146-2015
Date of decision : 05.07.2017**

Chaman Lal

..... Petitioner

VERSUS

The State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Parmod Chauhan, Advocate
for the petitioner.

Mr. Sushil Gautam, DAG, Haryana.

Mr. Vineet Chaudhary, Advocate
for respondent No.4.

Mr. Madan Gupta, Advocate
for respondent No.5.

AMOL RATTAN SINGH, J.(Oral)

By this petition, the petitioner has challenged the order of the Deputy Registrar, Cooperative Societies, Kurukshetra, dated 18.12.2012 (Annexure P-5), dismissing his complaint; as also the communication from the Registrar, Cooperative Societies, Haryana, to the petitioner, dated 14.11.2013 (Annexure P-7), by which his complaint has been ordered to be 'filed', without giving any reasons therein.

The subject-head of the said communication (Annexure P-7) states as follows:-

“The Society Manager has not filed any appeal from 01.09.2011 to 10.06.2012 before the Deputy Registrar against the Order of Assistant Registrar, Co-Operative Societies,

Kurukshetra at Sr. No.2691 dated 01.09.2011 regarding Rs.56000/- and with regard to the application of the applicant for passing wrong order by the Deputy Registrar, Kurukshetra by misusing the powers.”

The communication thereafter goes on to state as follows:-

“With regard to the subject noted above, your complaint is ordered to be filed in Office as per the inquiry report of the Deputy Registrar, Co-Op., Kurukshetra.”

It is wholly un-understood as to how the society manager not having filed an appeal has anything to do with the appeal of the petitioner against the order of the Deputy Registrar dismissing his complaint, by which complaint he was expressing a grievance against non-implementation of the recommendation of the Assistant Registrar, dated 01.09.2011 (Annexure P-3) .

Consequently, this petition is allowed to the extent that there being actually no order passed by the Registrar on the appeal filed by the petitioner under Section 114 of the Haryana Cooperative Societies Act, 1984, the Registrar, Cooperative Societies, Haryana, is directed to consider the appeal of the petitioner wholly on merits after hearing both sides and to pass a detailed speaking order thereupon, on merits. The said order shall be passed within a period of five months from the date of receipt of a certified copy of this order.

(AMOL RATTAN SINGH)
JUDGE

July 05, 2017

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes / No