

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

CWP No. 27721 of 2017

Date of Decision: 22.12.2017

UDAI CHAND

.....Petitioner

V/s.

THE REGISTRAR COOPERATIVE SOCIETIES, HARYANA AND
OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.

Present: Mr. Lekh Raj Sharma, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.
for respondents No. 2 and 4.

Ms. Tanvi Jain, Advocate,
for respondent No. 3

RAKESH KUMAR JAIN, J. (Oral)

Respective replies on behalf of both the sets of respondents are
filed in the Court and the same are taken on record.

Learned counsel for the petitioner has submitted that once the
order/notice dated 16/19.08.2017 was set aside vide order dated 24.11.2017
passed by this Court and liberty was given to the respondents to serve a
15 days clear notice for the purpose of holding a meeting to elect Vice-
Chairman of the respondent-Society then the appointment of the Presiding
Officer-cum-Sub Registrar, Cooperative Societies as the returning officer has
also been set aside and fresh orders were required to be passed by the
Registrar for appointing the said Presiding Officer.

Learned counsel for the respondents, however, submits that the
order was passed on 16.08.2017 by the Registrar Cooperative Societies,
Haryana appointing the Deputy Registrar, Cooperative Societies, Gurugram

to preside over the meeting of the Board of Directors of the Palwal Cooperative Sugar Mills Ltd., Palwal to elect the Vice-Chairman.

After being appointed, the Presiding Officer issued the notice on 16/19.08.2017 but it was not a clear 15 days notice. Therefore, the said notice was challenged by way of a writ petition bearing CWP No. 19556 of 2017 by one Bhim Singh which was allowed by this Court vide order dated 24.11.2017 and liberty was given to the respondents therein to serve a 15 days clear notice for holding the meeting.

After hearing learned counsel for the parties and taking into consideration the aforesaid facts and circumstances, I am of the considered opinion that there is no merit in the agitation of the petitioner that the Presiding Officer has to be re-appointed by the Registrar, Cooperative Societies, Haryana as the order dated 16.08.2017 was set aside. In fact, this Court had set aside the notice issued by the Presiding Officer on 16/19.08.2017 which was not a 15 days clear notice and therefore, there was no order passed by this Court to set aside the appointment of the Presiding Officer.

In view of the above, I do not find any merit in the present petition and the same is hereby dismissed, though without any order as to costs.

December 22, 2017

Ess Kay

**(RAKESH KUMAR JAIN)
JUDGE**

Whether speaking / reasoned	:	Yes	/	No
Whether Reportable	:	Yes	/	No