

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

**CWP No.6696 of 2017**

**Date of Decision.30.03.2017**

Parvesh son of Sh. Daya Singh and others .....Petitioners

Vs

State of Haryana and others .....Respondents

Present: Mr. M.S. Sindhu, Advocate  
for the petitioners.

**CORAM:HON'BLE MR. JUSTICE AMIT RAWAL**

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**AMIT RAWAL J.(ORAL)**

The petitioners are aggrieved of the impugned order dated 30.08.2016 (Annexure P-5) passed for rescinding the Resolution No.3 dated 26.02.2014 (Annexure P-3) whereby the petitioners appointed as Salesman-cum-Clerk and Peon-cum-Chowkidar on daily wages were regularized, on the premise that nominee of the Government had not been associated.

Mr. Sindhu, learned counsel appearing on behalf of the petitioners contends that no doubt the petitioners have an efficacious remedy under Section 114 of the Haryana Cooperative Societies Act, 1984 but apparently the orders passed are without jurisdiction and as per Annexure P-5, the Assistant Registrar Cooperative Society, Sonapat has recommended to rescind the resolution No.3 and they have apprehension that their services may not be terminated.

He further submits that as per the bye laws of the Society, respondent No.5 is not a government aided society and therefore, the nominee of the government is not required to be associated.

I have heard learned counsel for the petitioners, appraised the paper book and of the view that no doubt the petitioners have efficacious

remedy under Section 114 of the Haryana Cooperative Societies Act, 1984 to assail the aforementioned impugned orders but owing to the fact that there is apprehension of termination of services of the petitioners, I deem it appropriate to grant interim stay qua impugned orders (Annexure P-4 and P-5) till the petitioners approach the competent authority for availing the remedy in pursuance of the provisions *ibid* along with application for stay.

Let this exercise be done within a period of one month from the date of receipt of certified copy of this order. Till then there shall be interim stay qua Annexures P-4 and P-5. Thereafter, the authority seized of the appeal shall decide the prayer of interim stay independent of the finding rendered by this Court.

The writ petition is disposed of with the aforementioned observations.

**(AMIT RAWAL)**  
**JUDGE**

**March 30, 2017**  
Pankaj\*

Whether speaking/reasoned      Yes

Whether reportable                  No