

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WA No. 422 of 2017**

S.K. Kurre S/o R. R. Kurre, Aged About 55 Years And Working As A Lower Division Clerk In The Priyadarshini Subidha Swa- Sewa Kendra, Transport Nagar, Korba, And Is The Resident Of House No. 63, Sarada Vihar, P. O. S. E. C. L. Post Office, P. S. / Tehsil And District Korba, State- Chhattisgarh.

---- Appellant**Versus**

1. State Of Chhattisgarh Through Secretary To The Government, Department Of Co- Operation, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. Registrar Of Co Operative Societies, State Of Chhattisgarh, Indravati Bhawan, Raipur, Tehsil And District Raipur, Chhattisgarh.
3. Managing Director, Chhattisgarh Rajya Sahakari Upavokta Sangh Mydt. At Jal Vihar Colony, In Front Of Sagar Kirana, Bhandar, Shyam Nagar, Ravigram, Raipur, Chhattisgarh.

---- Respondents

For Appellant	:	None
For State	:	Shri Y.S. Thakur, Additional Advocate General

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Sharad Kumar Gupta, Judge****Judgment on Board****Per Thottathil B. Radhakrishnan, Chief Justice****01/05/2018**

1. Heard.
2. The appellant writ petitioner was employed in the third

respondent Cooperative Society. He filed a writ petition seeking direction for payment of dues, due to him as its servant. The learned single Judge found that what is raised is a service dispute which is to be raised before the competent authority under Section 55 (2) of the Cooperative Societies Act. Having found that there is such an efficacious alternate statutory remedy, the writ petitioner was relegated to that. The writ petition was accordingly ordered. We do not find any illegality in the learned single Judge having exercise jurisdiction in such matter. This appeal therefore fails.

3. However, we may notice that the following was minuted on 06/11/2017 during the course of this writ appeal :

“Taking into consideration the contents of Annexure-A/1, judgment, which is appealed against and the contents of Annexure-A/3, judgment, the Registrar of Co-operative Societies, Government of Chhattisgarh is directed to ascertain the entire facts in relation to Chhattisgarh Rajya Sahakari Upavokta Sangh, which is a Co-operative Society governed by the provisions of the Chhattisgarh Co-operative Societies Act and ensure that an affidavit is placed through a competent officer disclosing the affairs relating to the present management and status of the said Co-operative society. Such affidavit will also state that whether any action has been taken by the Registrar Co-operative Societies or any other statutory authority under that Act for requisite management of that Society.”

4. The materials now placed on record tend to indicate that the affairs of the said Cooperative Society is a matter to be taken note of by the Registrar of Cooperative Societies and this writ appeal need not therefore be held back for any such further

consideration.

5. For the aforesaid reasons, this writ appeal is dismissed on merits, however, directing that the Registrar Cooperative Societies will take up such action, if any, as is necessary in relation to affairs of the third respondent Cooperative Society.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge