

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1892 of 2018**

1. Rewa Rawate S/o Shri Santu Ram Rawate Aged About 40 Years R/o Village-Bharritola, District-Balod, Chhattisgarh, Director Of District Cooperative Central Bank Limited, Durg, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- Secretary, Department Of Cooperative, Mahanadi Bhavan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh.
2. Registrar Cooperative Societies Chhattisgarh, Indrawati Bhavan, Naya Raipur, District- Raipur, Chhattisgarh.
3. Reserve Bank Of India Through Its Managing Director, C-7, 1st Floor Bandra Kurla Complex, Bandra (E) Mumbai- 400051 Regional Office At Subhashish Parisar, Satya Prem Vihar, Mahadev Ghat Road Sunder Nagar, Raipur, Chhattisgarh.
4. National Bank Agriculture And Rural Development (NABARD) Through Its Regional Director, Office At Pithaliya Complex, K.K. Road, Fafadih Chowk, Raipur, Chhattisgarh.
5. Chhattisgarh State Cooperative Bank Through Its Managing Director, Pandri, District- Raipur, Chhattisgarh.

---- Respondent

For Petitioner

Shri Manish Upadhyay, Advocate

For Respondent/State

Shri A.S. Kachhawaha, Addl. Adv.
General**Order On Board****By****Prashant Kumar Mishra, J.****12/09/2018**

1. It is argued that by Annexure – P/10 the Registrar, Cooperative Societies, Chhattisgarh has issued a direction that during pendency of merger/reconstitution of different District

Cooperative Central Banks (DCCBs) into the Chhattisgarh State Cooperative Bank Limited, the respective DCCBs shall not proceed to make recruitment or promotion of any staff/officer and if such recruitment or promotion is necessary prior permission shall be obtained from the Registrar, Cooperative Societies, Chhattisgarh.

2. Referring to the service rules framed under the Chhattisgarh Cooperative Societies Act, 1960, it is argued that the Board of Directors of the DCCB are entitled to make recruitment of staff or officers of the Bank, therefore, their rights have been curtailed by the impugned circular, which is absolutely illegal and arbitrary.
3. Bare perusal of Annexure – P/10 would indicate that the Registrar, Cooperative Societies, Chhattisgarh, has not imposed absolute ban on recruitment or promotion. As and when any necessity arises for making recruitment by any DCCB it is always open for the DCCB to seek permission from the Registrar, Cooperative Societies before making such recruitment or promotion. It is, thus, clear that if the Bank or the DCCB in which the petitioner is a Director is in need for recruitment of staff or making promotion, the DCCB may move before the Registrar, Cooperative Societies, Chhattisgarh, who shall take decision in the matter in accordance with law.
4. Accordingly, the writ petition stands disposed of.

Sd/-

Judge
Prashant Kumar Mishra

Gowri