

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

128

Civil Writ Petition No.16036 of 2018

Date of Decision: August 8th, 2018

Fakir Chand

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ajay Jain, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Additional Advocate General, Haryana.

Mr. Manvender Rathee, Advocate
for respondent No.3.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court challenging the order dated 22.08.2016 (Annexure P-3) passed by the Additional Chief Secretary to Government Haryana, Cooperation Department, Chandigarh-respondent No.1, vide which in the revision petition preferred by respondent No.3-The Khandrai PACS Limited, which was instituted on 22.08.2016, order dated 19.05.2016 passed by the Deputy Registrar, Cooperative Societies, Karnal, which was in favour of the petitioner, has been set aside.

Notice of motion was issued to the respondents on the ground that the impugned order dated 22.08.2016 (Annexure P-3) cannot sustain as the principle of natural justice has been violated, where rule of *audi alteram partem* has been not complied with as no hearing was given to the petitioner herein.

Counsel for the respondents have put in appearance but could not controvert the submissions of the petitioner that the order dated 22.08.2016 has been passed without issuing any notice to the petitioner or giving an opportunity of hearing to him.

In the light of the above, the present petition is disposed of and the impugned order dated 22.08.2016 (Annexure P-3) is set aside.

Parties are directed to appear before the Additional Chief Secretary to Government Haryana, Cooperation Department, Chandigarh-respondent No.1 on **06.09.2018** for fresh decision on Revision Petition No.53 of 2016 preferred by respondent No.3-The Khandrai PACS Limited.

August 8th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No