

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

**CWP No.9035 of 2017  
Date of Decision: 15.12.2018**

Gurjant and others

..... Petitioners

*Versus*

State of Haryana & Ors.

..... Respondents

**CORAM: HON'BLE MRS. JUSTICE RITU BAHRI**

Present: Mr. Tej Pal Singh Dhull, Advocate for the petitioners.

Mr. Gaurav Jindal, Addl. A.G. Haryana.

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**RITU BAHRI, J. (Oral)**

Present petition has been filed under Article 226 of the Constitution of India for quashing of the impugned order dated 29.08.2016 and order dated 08.12.2016 vide which an order of recovery of a sum of total Rs.80,000/- has been passed against the petitioners.

As per the reply filed by respondents no.2 and 4, the 2014 rules were amended in 2017 and as per this amendment, Rule-5 ' the Primary Agriculture Cooperative Societies Staff Service Rules, 2017 the pay of the employees was reduced and this rule was challenged in a bunch of petitions before this Court and vide order dated 22.01.2018 the writ petitions were disposed of and it was observed that if authority take a decision to reduce the pay of the petitioners they will give an opportunity of hearing and till that period the recovery shall remain stayed.

Pursuant to the directions given by this Court a show cause notice

was given to all the employees of PACS on 22.02.2018. All PACS/PCCS employees were head on 02.04.2018 and the matter is pending for passing speaking orders. In the last paragraph of the reply, it is further stated that a direction has been given on 27.06.2018 to all the Deputy Registrars, Assistant Registrars and all Audit Officers of Cooperative Societies in Haryana State and all General Managers of Central Cooperative Banks in Haryana State to stop actions on notices if any served for recovery of excess amount paid to the employees of Primary Agriculture Cooperative Societies (PACS)/ Primary Cooperative Credit and Services Societies (PCCS) till the final decision passed by the respondents.

Keeping in view this reply counsel for the State has further informed that speaking order has still not been passed. This petition at this stage is being disposed of that petitioners will have a remedy to challenge the speaking order as and when it is passed by the Registrar and it has been clarified in the reply that till then no recovery is to be effected.

(RITU BAHRI)  
JUDGE

December 15, 2018  
*Sunil Devi*

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/NO</i> |