

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

(128)

CWP-31306-2018

Date of Decision: December 11, 2018

Harbans Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. M.S. Bedi, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present case, the petitioner has approached this Court for issuance of a direction to the respondents to decide upon entitlement and for payment to the petitioner the pensionary benefits for which he is entitled for on his retirement on 31.12.2016.

Counsel for the petitioner has not been able to convince this Court that a direction can be given to the Society.

Learned counsel for the petitioner states that the society is governed by the rules framed by Registrar Cooperative Society and therefore, a Registrar is competent to issue appropriate direction to the society under the Cooperative Societies Act, 1961 and the rules framed therein.

Learned counsel for the petitioner further states that the petitioner has served a legal notice not only upon the society but upon the Registrar Cooperative Society as well on 01.10.2018 (Annexure P-6) and he will be satisfied, at this stage, in case a time bound direction is given to the respondents to decide the legal notice dated 01.10.2018 (Annexure P-6) by passing a speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 01.10.2018 (Annexure P-6), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 01.10.2018 (Annexure P-6) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled to any monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within three months thereafter.

December 11, 2018
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No