

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5992 of 2019

Sewa Sahakari Samiti Maryadit Uchcha Bhati, Registration No. 2621,
Through Society Manager, Arun Kumar Kashyap S/o Sahettar Ram Kashyap
Aged About 44 Years Of Age Head Quarter Bhadi, District Bilaspur
Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary, Department Of Co-Operative Societies, Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Registrar Co- Operative Societies Mantralaya Mahanadi Bhawan, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Deputy Registrar Co- Operative Societies, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. The Chief Executive Officer Jila Sahkari Kendriya Bank Maryadit, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
5. The District Marketing Officer District Marketing Federation Ltd. Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
6. Yogesh Kumar Kashyap S/o Shri Sada Ram Kashyap Aged About 43 Years Computer Operator Sewa Sahkari Samiti, Maryadit Uchcha Bhatti, Head Quarter Bhadi, District Bilaspur Chhattisgarh And A R/o Village Bhadi, Post Office, Beltara, Tehsil And District Bilapur Chhattisgarh., District : Bilaspur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Dilip Swain, Advocate
For State	:	Mr. P. Acharya, Panel Lawyer
For Respondent No. 4	:	Mr. Jitendra Shrivastava, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/08/2019

1. The challenge in the present writ petition writ petition is to the order Annexure P/1 dated 25.06.2019, passed by the Chhattisgarh State Cooperative Tribunal, Bilaspur and have also sought for quashment of the order Annexure P/2 dated 15.06.2018.

2. At the outset, this Court is of the opinion that there does not seem to be any illegality or perversity in the findings of the two authorities below in the course of passing Annexure P/1 & P/2 respectively for the reasons that the respondents had passed the Annexure P/2 in the contest of the directions given by this Court in WPS No. 3474/2018 decided on 02.05.2018.
3. What also cannot be lost sight of is that the respondent No.6 already had an order in his favour from the Court of Deputy Registrar, Cooperative Society on 29.06.2016, whereby the relief of reinstatement with back-wages was awarded. The said order has since been affirmed by the Registrar in an appeal vide order dated 04.03.2017. The said order of Registrar has not been challenged by the petitioner/Society before another authority or forum and as such the same has attained finality.
4. Under the circumstances, the petitioner have got no other option, but to ensure compliance of the order of the Deputy Registrar dated 29.06.2016 and the order of Registrar dated 04.03.2017.
5. In the light of the aforesaid submissions, this Court is reluctant to interfere the writ petition at this juncture interfering with the two orders under challenge.
6. Our reluctance to entertain this writ petition would not preclude the petitioner from opposing in execution proceedings that the respondent No.6 initiates before the appropriate forum.
7. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge