

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 7252 OF 2019

Tekram Nirmalkar, S/o Shri Phool Singh Nirmalkar, aged about 60 years, occupation – Terminated Society Manager, R/o Village & Post Pondi, Tahsil & District Kabirdham (CG)

... Petitioner

versus

1. State of Chhattisgarh, through the Secretary, Department of Cooperative Societies, Mantralaya, New Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur (CG)
2. Chief Executive Officer, Zila Shahkari Kendriya Bank, Maryadit, G.E. Road, Rajnandgaon (CG)

Respondents

For Petitioner	:	Mr. Palash Agrawal, Advocate
For Respondent-State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/09/2019

1. Challenge in the present writ petition is to the order of termination dated 29.7.2019 (Annexure P-1) passed by Respondent No.2.
2. The said impugned order seems to have been passed pursuant to the disposal of Writ Petition No. 6024 of 2005.
3. At the outset, this Court is of the opinion that the present writ petition is not maintainable of having a ground of statutory remedy available to the petitioner. The order under challenge is an order of termination. The petitioner in the instant case has an efficacious alternative remedy of raising a dispute before the Deputy Registrar under Section 55(2) of the Chhattisgarh Cooperative Societies Act, 1960. The petitioner in the earlier round of litigation had in fact been availed the same remedy under the Cooperative Societies Act.
4. Given the said fact, let the petitioner approach the concerned Deputy Registrar challenging the order of termination dated 29.7.2019 within a period of 30 days from today.
5. Subject to the petitioner approaching the Deputy Registrar within a period of 30 days from today, the authorities concerned may decide the case of the petitioner ignoring the aspect of limitation considering the fact that the impugned order is an order of termination.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge