

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 107 of 2016

Date of decision : 18.09.2019

Ashok and others

....Petitioners

Versus

The Sonapat Central Cooperative Bank Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. R.K. Malik, Senior Advocate with
Mr. Digvijay Singh, Advocate for the petitioners.

Mr. Subhash Ahuja, Advocate for respondents No. 1 and 2.

Mr. C.S. Bakhshi, Additional Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance which is being raised by the petitioners is that respondent-Bank has passed a Resolution on 04.12.2015 for termination of services of the petitioners, who are working on contract basis on D.C. Rates. The prayer of the petitioners is that they should be allowed to continue in service till the regular appointments are made.

Learned counsel for the petitioners as well as counsel for the respondent-Bank states that the Registrar Cooperative Societies, Haryana, has an authority to decide as to whether the Resolution, which has been passed by the Board, is in accordance with law or not and further, the

Registrar has all the powers to pass appropriate orders for the redressal of the grievance of the petitioners as raised in the present writ petition.

Shri Mani Ram Sharma, Registrar Cooperative Societies, Haryana is personally present in Court. He states that in case, the dispute raised in the present writ petition is referred to the Registrar Cooperative Societies, Haryana, the same will be examined under the provisions of the Haryana Cooperative Societies Act, 1984 keeping in view the submissions made by the employees as well as by the bank, in their support.

Learned Senior counsel appearing on behalf of the petitioners states that petitioners will approach Registrar, Co-operative Societies, Haryana in respect of the claim as raised in the present writ petition within a period of two weeks from today. Whatever claim is raised by the petitioners, will be put to the bank for their comments and after receiving the comments from the bank in question, the Registrar Cooperative Societies will decide the issue by passing appropriate speaking order as to whether there was any need to terminate the services of the petitioners or whether keeping in view the workload of the bank, the prayer of petitioners be allowed to continue till their services are needed as per the work load deserves to be accepted. It will be appreciated that before passing any order, an opportunity of hearing is given to any of the representative of the petitioners as well as that of Bank by the Registrar.

Let the appropriate order be passed by the Registrar Cooperative Societies, Haryana within a period of three months from the date the pleadings by both the sides are completed.

Keeping in view the above, learned senior counsel appearing on

behalf of the petitioners prays that present writ petition may be disposed of having not been pressed.

Ordered accordingly.

The parties as well as the Registrar will be bound by the order passed hereinbefore. Till the order is passed by the learned Registrar, Cooperative Societies, Haryana, the interim order passed by this Court under which the petitioners are continuing, will operate. Thereafter, the action will be taken by the authorities in pursuance to the order passed by the learned Registrar, Co-operative Societies, Haryana.

September 18, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	<i>Yes/No</i>
Whether reportable?	Yes/No