

Sr. No.214

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

CWP No.16326 of 2016 (O&M)

Date of Decision: 05.09.2019

Amandeep Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Ranjivan Singh, Advocate with
Ms. Kanika Toor, Advocate,
for the petitioner.

Mr. Mehardeep Singh, Additional A.G., Punjab.

Mr. M.S.Virk, Advocate,
for respondent No.3.

Mr. N.S.Vashist, Advocate
for respondents No.4 & 5.

ARUN MONGA, J.(ORAL)

The limited grievance of the petitioner directed against respondent No.2 is that despite her having been selected as 'Clerk-cum-Data Entry Operator' vide appointment letter dated 29.11.2011 (Annexure P-4), no decision on her joining is being taken/conveyed by the Registrar Cooperative Societies.

2. In the premise, the petitioner also caused a legal notice dated 21.05.2016 (Annexure P-12) which was responded vide reply dated 09.07.2016 (Annexure P-13). In the reply to the said legal notice, following pointed stand has been :-

"2. That in view of the representation made by your client, a letter No.7126-27 dated 21.12.2011 was sent to the Hon'ble Registrar, Cooperative Societies,

Punjab for approval but till date no approval has been given to the Bank to allow or accept the joining report from your client. It is worth to mention that much prior to the issuance of your present legal notice dated 21.05.2016, my client again sent a letter No.7464 dated 05.11.2015 for approval of appointment of your client. Even thereafter another letter No.1310 dated 16.05.2016 to the worthy Registrar for the approval and it was also apprised that with the passage of time the case of Smt. Amandeep Kaur is no longer remains a couple case for appointment because her husband i.e. Sh. Gurpreet Singh has permanent been transferred to Fatehgarh Sahib Central Cooperative Bank Ltd., and the bank is in dire need of staff.”

3. Learned counsel for the petitioner submits that the approval of the Registrar is required as per Rule 6 (VI) Punjab State Cooperative Financing Institutions Services Rules 1958 which envisage that no bank shall appoint any person in its service who is related to another employee of the same bank except with the prior express permission of the Registrar.

4. Having perused the writ petition and the return filed thereto, the conceded position that emerges is that after selection being made by the bank, a formal permission of the Registrar is required but for no cogent explanation has come forth as to why the Registrar Cooperative Societies is kept the decision making process on hold with respect to the joining of the petitioner.

5. In the premise, writ petition is disposed of with a direction to respondent No.2 to take an appropriate decision and convey the same to respondents No.4 and 5 so as to enable the bank to allow the petitioner to join her service, in accordance with

appointment letter dated 29.11.2011 (Annexure P-4).

6. Let the needful be done within a period of 30 days from the date of receipt of a certified copy of this order.
7. Disposed of in above terms.

05.09.2019

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No