

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-27357-2019

Date of Decision:-04.12.2019.

Ravinder Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Pardeep Solath, Advocate for the petitioner.

Mr. Rajesh Gaur, Additional A.G., Haryana.

None for respondent No.6.

Mr. R.K. Malik, Senior Advocate with
Mr. D.S. Mann, Advocate for respondent No.7.

SANJAY KUMAR, J. (Oral)

This writ petition was filed assailing the order dated 10.09.2019 (Annexure P-10) passed by the Registrar, Cooperative Societies, Haryana, Sahkarita Bhawan, Panchkula, the second respondent, whereby the services of the petitioner were directed to be terminated by placing the same before the Managing Committee of Alika Primary Agriculture Cooperative Society Limited, Alika, Tehsil Dabwali II, District Sirsa, the sixth respondent. It is not in dispute that the petitioner preferred a revision under Section 115 of the Haryana Cooperative Societies Act, 1984 (hereinafter, 'the Act of 1984'), and the Additional Chief Secretary-cum-Secretary to the Government, Cooperation Department, Government of Haryana, is seized of the matter.

By order dated 23.09.2019, this Court observed that as the petitioner already availed the aforestated remedy, the matter required to be decided at the level of the Government under the aforestated statutory provision. The learned Judge further directed that till then, there should be interim stay of the impugned order.

The aforestated facts demonstrate that the very same order dated 10.09.2019 (Annexure P-10) is under challenge before this Court as well as in the revision filed by the petitioner under Section 115 of the Act of 1984. It would not be appropriate for two separate fora to deal with the same challenge leading to the possibility of contradictory orders.

As this Court has already granted interim protection to the petitioner till the disposal of the revision filed by him under Section 115 of the Act of 1984, the writ petition is disposed of directing the revisionary authority, the first respondent herein, to pass appropriate orders on merits in accordance with the law upon the petitioner's revision filed under Section 115 of the Act of 1984. In the meanwhile, operation of the order dated 10.09.2019 (Annexure P-10) shall remain suspended. It is made clear that this Court has not gone into the merits of the matter and it is for the revisionary authority to deal with the matter independently on its own merits and in accordance with law.

No order as to costs.

(SANJAY KUMAR)
JUDGE

December 04, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.