

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

(228)

CWP-10348-2016

Date of Decision: November 19, 2019

Major Singh

.. Petitioner

Versus

Registrar Cooperative Societies Punjab and another .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anil Kumar Sharma, Advocate, for the petitioner.

Mr. Navdeep Chhabra, Deputy Advocate General, Punjab.

Mr. J.S. Grewal, Advocate, for respondent No.2.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the claim of the petitioner is for directing respondent No.2 for the release of payment of the benefits for which, petitioner is entitled in respect of the service rendered by him with respondent No.2.

Learned counsel for the respondents raises a preliminary objection with regard to the maintainability of the present writ petition in view of the law laid down by the Hon'ble Supreme Court of India in **General Manager, Kisan Sahkari Chini Mills Ltd, Sultanpur, U.P Vs. Satrughan Nishad and others, 2003 (8) SCC 639** wherein, it has been held that the Cooperative Societies are not amenable to the writ jurisdiction of this Court, unless and until it is proved that the said Cooperative Society is the instrumentality of the State and is being funded and being administered by the State.

Keeping in view the objection raised, learned counsel for the petitioner prays that he be allowed to withdraw the present writ petition

with liberty to approach the Registrar, Cooperative Societies for the

redressal of the grievance of the petitioner by filing appropriate proceedings under the Punjab Cooperative Societies Act, 1961.

Learned counsel for respondent No.1 states that in case the petitioner approaches the Registrar, Cooperative Societies raising any grievance, appropriate orders will be passed on the merits of the case qua the grievance raised therein expeditiously.

Learned counsel for the petitioner states that keeping in view the statement made by learned counsel for respondent No.1, petitioner be allowed to approach respondent No.1 for the redressal of his grievance.

In view of the above, the present writ petition is dismissed as withdrawn, with liberty as prayed for.

(HARSIMRAN SINGH SETHI)
JUDGE

November 19, 2019
harsha

Whether speaking/reasoned:	Yes
Whether reportable:	No