

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

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CWP-219-2020

Date of decision: 19.02.2020

Charanjit Singh Sandhu

....Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.D.V.Sharma, Sr.Advocate
with Ms.Pooja, Advocate, for the petitioner.
Ms.Maloo Chahal, DAG, Haryana.

G.S. SANDHAWALIA, J. (Oral)

Additional reply along with order dated 05.02.2020 (Annexure R-1), in compliance of the order dated 14.02.2020, has been filed by respondent No.4, vide which stay has been declined to the petitioner. The order of removal, as such, which was subject matter of consideration, has been upheld, for the time being. As per the affidavit filed, plea has also been taken that the writ petition has become infructuous as the said respondent has decided the said application.

On 08.01.2020, the following contention had been noted:

“Inter alia contends that vide order dated 20.11.2019 (Annexure P-7) the petitioner has been removed from the office of President of the Ghallu Multipurpose Cooperative Agricultural Service Society-respondent No.13. It is submitted that petition under Sections 55/56 of the Punjab Cooperative Societies Act, 1961 (Annexure P-9) alongwith the stay application has been filed before respondent No.4, which is not being acted upon and even notice has not been issued since 16.12.2019.

Notice of motion only to respondents No.1 to 4.

Ms. Kanica Sachdeva, AAG, Punjab accepts notice on behalf of the respondents No.1 to 4. Adequate number of copies of the paper-book be supplied to her during the course of the day.

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Counsel for the State shall seek instructions as what is the legal impediment as to why respondent No.4 is not taking action on the statutory petition filed. Resultantly, this Court will be apprised as to what order has been passed on the said petition and on the stay application, on the next date of hearing.

In case, the necessary affidavit is not filed explaining the circumstances, respondent No.4 shall come present in the Court, to explain the circumstances.

List on 13.01.2020.

Copy of this order be given to the counsel for the State, under the signatures of the Special Secretary of this Court, for necessary compliance.”

Resultantly, it is apparent that the grievance of the petitioner, to this extent, regarding the non-decision of his interim relief in the revision petition, filed under Section 55/56 of the Punjab Cooperative Societies Act, 1961, has been resolved.

State Counsel, on instructions from Shri Raj Paul Singh, Assistant Registrar, Cooperative Societies, Fazilka, submits that the main petition is still pending before him.

Accordingly, counsel for the petitioner submits that the present writ petition may be disposed of, by giving liberty to the petitioner to challenge the interim order, in accordance with law, before the Competent Authority.

Ordered accordingly. It is, however, expected that respondent No.4 shall also take expeditious steps to decide the main issue in controversy.

19.02.2020
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*