

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

108

**CWP-11040-2020
Decided on : 31.07.2020**

Hari Mittar Sondhi

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present: Mr.Harit Sharma, Advocate, for the petitioner.

Mr.Aditya Sharda, AAG, Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawal, J. (Oral)

Challenge in the present writ petition, filed under Articles 226/227 of the Constitution of India is to the order dated 16.07.2020 (Annexure P-1) whereby petitioner has been placed under suspension under Section 27(2) of the Punjab Cooperative Societies Act, 1961 (for short, the 'Act').

Admittedly, vide the impugned order, 15 days time has been given to file reply to the allegations before action is to be taken under Section 27(1) (b) of the Act, which would be the removal of the petitioner as member of the Nakodar Hindu Urban Co-operative Bank Ltd., Nakodar, respondent No.7. It is, thus, apparent that the petitioner has an opportunity to explain the reasons of suspension to the authorities concerned and it would not be fit for this Court to get into the merits of the case, at this stage, on account of disputed questions, as such, arising.

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Faced with this situation, counsel for the petitioner submits that the impugned order was received on 20.07.2020 and he be given one week's time from today to file the reply to the allegations. He further submits that since the petitioner was working as Chairman of respondent No.7, he would be prejudiced if decision is not taken within a fixed time-frame, on the said reply, to be filed.

Notice of motion.

Mr.Aditya Sharda, AAG, Punjab accepts notice on behalf of respondents No.1 to 4 and submits that he has instructions that if any such reply is received within the above-said period, the authorities concerned shall act on the same, in accordance with law, after taking into consideration the same and decide the issue in question.

Accordingly, in view of the above, the present writ petition is disposed of, with the above assurances which are on behalf of both the parties and the matter be decided within 2 weeks from the receipt of the reply to the show cause notice.

JULY 31, 2020
sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No