

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

CWP-12545-2020 (O&M)
Date of decision : 24.08.2020

Maya Devi and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Raman Goklaney, Advocate
for the petitioners.

Mr. Navdeep Chhabra, D.A.G., Punjab.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

This writ petition has been filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of Mandamus directing the official respondents to initiate proceedings under Section 27 of the Cooperative Societies Act, 1961 against the entire Managing Committee of respondent No.6-Society.

Learned counsel for the petitioners contends that the services of petitioner Nos. 1 and 2 have been terminated vide impugned resolutions dated 31.07.2020 (Annexure P-3), 01.07.2020 (Annexure P-4) and letter dated Nil, conveyed to petitioner No. 2 on 11.08.2020 (Annexure P-8), which were passed without audit report. Petitioner Nos. 1 and 2 had moved

representation dated 12.08.2020 (Annexure P-9), which is lying pending before respondent No. 2-Registrar, Co-operative Societies, Punjab. Petitioner Nos. 3 and 4 had preferred appeals (Annexures P-10 & P-11) before respondent No. 4-Deputy Registrar, Cooperative Societies, Moga and the same is also lying pending adjudication.

Learned counsel for the petitioners further submits that he would be satisfied, if a direction is issued to respondent Nos. 2 & 4 to decide the representation (Annexure P-9) and appeals (Annexures P-10 & P-11), within a time bound manner. In the circumstances, the Court is not inclined to issue notice of motion at this stage.

Heard.

A complete set of paper book has already been supplied to learned State counsel.

In view of the above, without adverting into the merits of the case, respondent No. 4 is directed to ensure that the appeals filed by petitioner Nos. 3 and 4 are decided expeditiously preferably within six weeks from the date of receipt of certified copy of the judgment.

Likewise, respondent No. 2 is directed to consider and decide the representation dated 12.08.2020 (Annexure P-9) preferred by petitioner Nos. 1 and 2 in accordance with law within six weeks from the date of receipt of certified copy of the judgment. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of six weeks thereafter, in accordance with law. However, in case the competent authority feels that

the relief claimed by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter.

Disposed of.

24.08.2020
Jyoti-II

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No