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

CWP-20497-2020 (O&M)
Date of decision: 01.12.2020

Mehar Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Karnail Singh, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Respondent No. 2 and 3 herein are Office Bearers of Northern Railway Employees Cooperative Societies Limited. The petitioner claim that he was employed by the aforesaid society.

On a Court question as to how the writ is maintainable, learned counsel for the petitioner contends that the aforesaid Cooperative Society is registered with the Registrar Cooperative Society and therefore the writ under Article 226/227 of the Constitution of India is maintainable. .

In the considered view of this Court, the writ petition under Article 226 of the Constitution of India is not maintainable against the Cooperative Society. It is not the case of the petitioner that the Cooperative Society is under control of the State or the Central Government.

Still further, the petitioner himself has attached the agreement

(Annexure P-8), reading whereof shows that the parties had settled their dispute by a mutual agreement. The petitioner now claims that the aforesaid agreement was entered into by misrepresentation. Such facts are required to be proved by leading evidence.

In view thereof, the petitioner is relegated to the alternative remedy.

Accordingly, the present writ petition is disposed of.

All the pending miscellaneous applications, if any, are disposed of, in view of the above-stated order.

01.12.2020

Pawan

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**