

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

108 - CWP No.21046 of 2020 (O&M)

Date of Decision: 08.12.2020

Anil & Ors.

... Petitioners

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: None for the petitioners

Ms. Palika Monga, DAG Haryana

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of lockdown due to outbreak of COVID-19 pandemic.

The petitioner Anil and two others have filed the present writ petition *inter alia* with a prayer seeking quashing of the order dated 30.07.2020 (P3) passed by respondent No.3 and further seeking a direction for staying the operation and implementation of the order (P3).

Though there is suspension of work today in the wake of call given by the Bar Council of Punjab and Haryana High Court, however, this Court proceeds to dispose of the writ petition in view of the nature of order proposed to be passed.

In the writ petition, it has been *inter alia* pleaded that respondent No.3 i.e. the Assistant Registrar, Cooperative Societies, Karnal vide order dated 30.07.2020 (P3) has declared the proceedings of meeting dated 29.02.2020 of the General Body of the Society as invalid (exercising the powers under Rule 110 of the Haryana Cooperative Societies Act, 1989).

It has been then pleaded that on 25.10.2020, the petitioners filed petition under Section 115 of the Act before respondent No.1 i.e. the Additional

Chief Secretary, Department of Cooperation. It is further pleaded in para 9 that till date no hearing has been provided to the petitioners.

Notice of motion.

On the asking, Ms. Palika Monga, DAG Haryana accepts notice on behalf of respondent No.1 through video conferencing.

Learned State counsel submits that she has instructions to state that the present issue/petition has been assigned to the Special Secretary, Cooperation on the orders of delegation by the competent authority.

In view of the peculiar facts and circumstances as noticed above, this Court deems it appropriate to dispose of the writ petition with directions to the Special Secretary, Cooperation to decide the stay application of the petitioners as expeditiously as possible preferably within two weeks from today. The petitioner is also directed to move an application for stay (if not already filed) within two days from today.

So ordered.

08.12.2020

vishal shonkar

1. *Whether speaking/reasoned?*

2. *Whether reportable?*

(Girish Agnihotri)

Judge

Yes/No

Yes/No