

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 383 of 2021

1. Ramayan Prasad Tiwari S/o Shri Ramratan Tiwari Aged About 60 Years Posted As Accountant Cooperative Marketing Societies Limited Deobhog, R/o Village- Jhakharpara, Tah. Deobhog, Distt. Gariyaband, Civil And Revenue Distt.- Gariyaband, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Cooperative Department, Mahanadi Bhavan, Mantralay, Atal Nagar, New Raipur, Chhattisgarh
2. The Registrar Cooperative Department, Indrawati Bhavan, Block-C, New Raipur, Chhattisgarh
3. The Assistant Registrar Cooperative Societies, Gariyaband, Distt. Gariyaband, Chhattisgarh
4. The Managing Director/president The Kisan Cooperative Marketing Society Maryadit, Deobhog, Distt. Gariyaband, Chhattisgarh

---**Respondents**

For Petitioner	:	Shri Manoj Kumar Sinha, Advocate.
For State	:	Shri Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08.02.2021.

1. The grievance of the petitioner in the present writ petition is the inaction on the part of the respondent No. 3 in taking a decision on the dispute that the petitioner has raised under section 55 (2) of the Chhattisgarh Cooperative Society Act 1960, which is pending consideration before the respondent No. 3 since the year 2008.
2. The facts of the case is that the petitioner working on the post of accountant, was terminated from service vide order dated 11.05.2008. Immediately thereafter the petitioner has raised a

dispute under Section 55 (2) of the Chhattisgarh Cooperative Society Act 1960 and the matter was registered and was proceeded further before the respondent No. 3. However though more than 12 years have passed, the matter has not been concluded.

3. Counsel for the Petitioner drew the attention of this Court to the instruction issued by the Registrar Cooperative Societies Raipur on 15.02.2016 directing the Assistant Registrar to ensure that the case is concluded at the earliest preferably within a period of three months. Though more than three years have passed thereafter, the proceedings have still not been concluded thereafter.
4. According to the petitioner, it is a case where the evidences have already been recorded and concluded and it is only a final decision that has to be taken, after arguments are heard for which the matter is pending for last more than 12 years.
5. Given the said nature of dispute raised by the petitioner, the learned Additional Advocate General also accepts the fact that the matter may be disposed of directing the respondent No. 3 to take a decision at the earliest within a stipulated period.
6. Under the circumstances, the writ petition at this juncture is disposed of directing to the Respondent No. 3 to ensure that the dispute is immediately taken up for consideration and the entire matter is concluded within a stipulated period of 3 months in case if the pleadings are already complete and only arguments and a final order has to be passed and in case if any evidence is left, the matter

should be concluded within an outer limit of six months from the date of receipt of copy of this order

7. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Jyotijha