

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.3877 of 2009**

Chhattisgarh Rajya Sahkari Bank Maryadit, Indira Gandhi Commercial Complex, Pandri, Raipur (CG)
Through: W.R. Hande, S/o. Shri Balwant Rao, Aged about 55 years, Branch Manager: Chhattisgarh Rajya Sahakari Bank Maryadit Vikas Bhawan, Nehru Chowk, Bilaspur (CG)

----- Petitioner**Versus**

- 1.State of Chhattisgarh, Through the Secretary, Department of Cooperation, D.K.S.Bhawan, Mantralaya, Raipur (CG)
- 2.Pukhraj Jain, S/o. K.L.Jain, Assistant Manager, Chhattisgarh Rajya Sahkari Bank Maryadit, P.O.-Pandri, Raipur (CG)

----- Respondents

For Petitioner	: Mr.Arvind Dubey, Advocate
For Respondent No.1/State:	Mr.Animesh Tiwari, Dy.A.G.
For Respondent No.2:	Mr.Nishant Bhanushali, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

19.7.2021

- 1.Proceedings of this matter have been taken-up through video conferencing.
- 2.The petitioner / Bank has filed this writ petition questioning the order dated 15.5.2008 passed by the Joint Registrar, Cooperative Societies, Chhattisgarh , Raipur affirming the order dated 10.9.2007 passed by the Deputy Registrar, Cooperative Societies setting aside the order of the petitioner Bank granting promotion to Mr.J.K.Tiwari on the post of Deputy Manager holding that Mr.Pukhraj Jain is entitled for

promotion.

3. Mr. Arvind Dubey, learned counsel for the petitioner, would submit that orders passed by both the authorities are unsustainable and bad in law.
4. On the other hand, Mr. Nishant Bhanushali, learned counsel for respondent No.2 would submit that the orders passed by the authorities are strictly in accordance with law. He would further submit that Mr. J.K. Tiwari has died and Mr. Pukhraj Jain has already been retired from service.
5. I have heard learned counsel for the parties and considered their rival submissions made hereinabove and also went through the records with utmost circumspection.
6. Since Mr. J.K. Tiwari whose order of promotion was set-aside by two authorities giving promotion to Mr. Pukhraj Jain has already died and furthermore, respondent No.2-Pukhraj Jain after serving on promotional post has already retired from service, no *lis* survives at present.
7. Accordingly, the writ petition is closed. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

B/-