

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-10764-2021

DATE OF DECISION: JUNE 10, 2021

THE KHOJKIPUR PRIMARY AGRICULTURAL ...PETITIONER
CO.OP. SOCIETY LTD., KHOJKIPUR, AMBALA

VERSUS

SPECIAL SECRETARY TO GOVT. OF HARYANA ...RESPONDENT
AND OTHERS

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. BHAG SINGH, ADVOCATE FOR THE PETITIONER.

MANOJ BAJAJ, J.(ORAL)

The petitioner-Society has filed this writ petition under Article 226 Constitution of India to challenge the orders dated 11.8.2020 (Annexure P-14) passed by the appellate authority and upheld by the revisional authority vide order dated 22.12.2020 (Annexure P-15), whereby order dated 8.6.2020 (Annexure P-13), regarding cancellation of transfer of respondent No.4 was set aside and the matter was remanded back before Assistant Registrar, Co-operative Societies, Ambala, i.e. respondent No.3 for deciding afresh, as well as the order dated 9.2.2021 (Annexure P-16) passed by respondent No.3 in compliance of the order Annexure P-15.

Learned counsel for the petitioner contends that Balwinder Singh, Prabhandak (respondent No.4) was transferred from The Tepla Primary Agriculture Co-op. Society Ltd. to Mohra Primary Agriculture Co-op. Society Ltd., but vide order dated 8.6.2020 (Annexure P-13), transfer of Balwinder Singh, Prabhandak (respondent No.4) was cancelled. According to him, aggrieved against the said cancellation, respondent No.5 carried an appeal before the Deputy Registrar, Co.op. Societies, Kurukshetra who vide

its decision dated 11.8.2020 set aside the order dated 8.6.2020 and remanded the matter back before the Assistant Registrar, Co-op. Societies, Ambala for deciding afresh. He submits that Balwinder Singh, respondent No.4 preferred revision against that decision of appellate authority before the Special Secretary, Govt. of Haryana, Co-operation Department and the said revision was also dismissed. He submits that in all these proceedings, neither the petitioner was a party nor was ever heard at any stage and through the order dated 9.2.2021, the Assistant Registrar, Co-op. Societies, Ambala has ordered handing over the charge to respondent No.4 as Prabandhak of the petitioner-Society.

After hearing learned counsel, this Court finds that as the similar order passed previously on 8.6.2020 was subject matter of an appeal before respondent No.2, therefore, on the similar lines, the order dated 9.2.2021 (Annexure P-16) can also be challenged by the petitioner by availing alternative remedy of appeal.

Resultantly, no case is made out for exercising the extra ordinary writ jurisdiction of this Court.

Dismissed.

June 10, 2021
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No
Whether Speaking/Reasoned : Yes/No