

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

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**CR-493-2022(O&M)
Date of decision:14.02.2022**

**THE JALALANA COOPERATIVE CREDIT AND SERVICE
SOCIETY LIMITED AND ANOTHER**

...Petitioners

Versus

KRISHAN LAL AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashwani Gaur, Advocate, for the petitioners.

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The defendants in a suit filed by the respondents seeking decree of declaration to the effect that the order dated 17.07.2013 is illegal, null and void, assail the correctness of the order dated 08.10.2021, passed by the Additional Civil Judge (Sr. Division), Dabwali, while dismissing an application under Order 7 Rule 11 CPC.

The respondent has sought declaration that the order dismissing him from service is illegal, null and void.

The trial court, on appreciation of facts, has dismissed the application on the ground that Section 128 of the Haryana Cooperative Societies Act, 1984, does not cover within its ambit the disputes between an employee and a Cooperative Society.

The learned counsel representing the petitioners contends that as per Section 128(3) of the Haryana Cooperative Societies Act, 1984, no order, decision or award made under this Act shall be questioned in any

Court on any ground whatsoever. He, hence, submits that the Court has overlooked the provision.

In response to a Court question, the learned counsel representing the petitioners failed to draw the attention of the Court to a statutory provision in a Haryana Cooperative Societies Act, 1984, with respect to the order of imposing penalty passed against its employee.

Keeping in view the aforesaid facts, no ground to interfere with the order passed by the Additional Civil Judge (Sr. Division), Dabwali, is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

February 14, 2022
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No