

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

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CWP-20952-2020

Date of decision : 23.03.2022

MAHENDER SINGH

..... Petitioner

VERSUS

**DEPUTY REGISTRAR, COOPERATIVE SOCIETIES, ROHTAK AND
OTHERS**

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- None for the petitioner.

(through video conferencing)

Harsimran Singh Sethi, J. (Oral)

The present petition is pending for the last more than one year. No one has appeared on behalf of the petitioner. This Court has no other option but to decide this petition without the assistance of the learned counsel for the petitioner.

The present petition has been filed for issuance of a direction to the Central Cooperative Bank to open a Branch at village Data Singh Wala, District Jind. For issuance of a writ of mandamus there has to be a legal right with the petitioner to seek the direction, for which the prayer has been made in the petition. Nothing has been mentioned in the writ petition as to which rule or regulation, extend a right to the petitioner to seek the direction being prayed for and that too upon a bank, to open a branch in the village where the petitioner resides. The opening of a Branch of a bank and managing its affair is the exclusive jurisdiction of the bank and the said jurisdiction can not be interfered with on a mere asking of the petitioner that too without any valid reason hence, no such direction can be given by this Court to the concerned bank to open

a Branch of the bank in the village of the petitioner. Keeping in view the above, no direction can be given by this Court as being claimed by the petitioner in the present writ petition. Furthermore, the direction is being sought to the Central Cooperative Bank, which bank is not a party to the present petition. Even on this account, no direction can be given.

From the pleadings, it transpires that the petitioner has issued a legal notice raising the same claim with the bank. It is made clear that disposal of the writ petition by this Court will not come in the way of the petitioner to pursue the said legal notice with the bank and to convince the bank with regard to the prayer being made in the present petition.

From the pleadings in the present petition it comes out that the petitioner has raised the grievance with respect to requirement for a bank branch in his village by serving legal notice dated 05.11.2019 (Annexure P/2). Surprisingly the said legal notice is not addressed to the bank, to whom the direction is being sought through this petition, rather the same has been issued to the officers of the cooperative society's department.

Be that as it may, in case, the petitioner has any grievance, with regard to the opening of the branch of the bank in his village, the petitioner will be at liberty to approach the respondents to convince them and the disposal of the present petition will not come in the way of petitioner or the bank in any manner.

Dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

23.03.2022
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Whether speaking/reasoned	Yes
Whether Reportable :	No