

119.

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

CWP-3189-2023

Date of Decision: 16.02.2023

ROOP SINGH AND ANOTHER

.... Petitioners

Versus

THE REGISTRAR, COOPERATIVE SOCIETIES, HARYANA AND
OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Shailender Singh Gill, Advocate, for the petitioners.

JAISHREE THAKUR.J (Oral)

The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ of quo warranto or any other writ, direction or order, seeking to challenge the illegal appointments of respondents No.5 to 7, with a further direction that they may be removed from their posts as they do not have the necessary qualifications.

Counsel appearing on behalf of the petitioners would allege that without following due procedure, respondents No.5 to 7 have been appointed on the post of Clerk, Peon and Computer Operator respectively in the Garhi Jattan Primary Agriculture Society Limited, Garhi Jattan, Karnal, respondent No.4-Society. A complaint had been filed regarding the said illegal appointments and an inquiry was conducted by Inspector Ashok Arora who found that the private respondents were not eligible for the said posts. Vide letter dated 27.07.2022, the Assistant Registrar, Cooperative Societies, sent a report to the Deputy Registrar, Cooperative Societies, for proceeding under

Section 27 of the Haryana Cooperative Societies Act, 1984 and to cancel the appointments. Despite the said office order, the Deputy Registrar, Cooperative Societies, Karnal, is not proceeding thereunder.

In view of the illegal appointments made of persons not qualified, the petitioners herein are constrained to file the instant writ petition.

Notice of motion.

At this stage, Mr. Kapil Bansal, DAG, Haryana, who is present in Court, accepts notice on behalf of respondents No.1 to 3.

Let adequate number of copies of the writ petition be supplied to the counsel appearing on behalf of respondents No.1 to 3 during the course of the day.

I have heard learned counsel for the parties and propose to dispose of the writ petition in limine without issuing notice to the private respondents.

The writ petition is disposed of by giving direction to the Deputy Registrar, Cooperative Societies, Karnal, respondent No.2 herein, to take decision on communication dated 27.07.2022 pending before him in accordance with law.

Let a speaking order be passed the matter within a period of two weeks on receipt of certified copy of this order.

(JAISHREE THAKUR)
JUDGE

16.02.2023
sanjeev

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No