

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

**CWP-2945-2023**  
**DECIDED ON: 19<sup>th</sup> JULY, 2023**

**BHOPAL SINGH AND OTHERS**

**.....PETITIONERS**

**VERSUS**

**THE REGISTRAR COOPERATIVE SOCIETIES, HARYANA AND  
OTHERS**

**.....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Surender Singh Dalal, Advocate  
for the petitioners.

Mr. Ayuwan Singh, AAG, Haryana.

**SANDEEP MOUDGIL, J (ORAL)**

The jurisdiction of this Court under Articles 226/227 of the Constitution of India for issuance of a writ of Certiorari for quashing the impugned order dated 19.01.2023 (Annexure P-4) during the pendency of the appeal filed by the petitioners is pending for decision before the Registrar, Cooperative Societies, Haryana, whereby, directions have been given to the Society to pay the salary to the employees treating them as daily wagers, and to issue a writ of Mandamus directing the respondents to pay the petitioners regular pay as being drawn before passing the impugned order being entitled to receive pay in the light of the principle 'equal pay for equal work' in view of the Government instruction dated 03.11.2017 (Annexure P-5) and the resolution passed by the Society in pursuance of the said instructions on 16.12.2019 (Annexure P-6).

2. It has been stated by learned State counsel that no relief has been claimed by the petitioners from the respondent-State and therefore, the contesting respondent is respondent No.4, who is to file reply.

3. However, the afore-said contention is of no use, inasmuch as the impugned order dated 19.01.2023 (Annexure P-4) has been passed by none other than Assistant Registrar, Cooperative Societies, Ambala and an appeal is pending with the Registrar, Cooperative Societies, Haryana. The grievance raised by the petitioners in the present petition is qua the passing of the impugned order dated 19.01.2023 (Annexure P-4), despite the fact that an appeal is already pending with the Registrar, Cooperative Societies, Haryana against the decision of the respondent-Society whereby, direction was given to pay the petitioners salary as was being drawn before passing of the impugned order (Annexure P-4). It has also been pointed out by Mr. S.S. Dalal, learned counsel for the petitioners that respondent No.4 has also passed a resolution dated 16.12.2019 (Annexure P-6), to that effect.

4. It is apparent from the record that an appeal is pending before the Registrar, Cooperative Societies, Haryana since 15.07.2016 and due to administrative exigencies the same has not been decided so far.

5. In the light of these factual aspects and the aspect that an appeal is already pending with the Registrar, Cooperative Societies, Haryana, this Court is of the view that passing of the impugned order (Annexure P-4) is un-warranted, therefore, the same is set aside and Registrar, Cooperative Societies, Haryana is directed to decide the appeal within a period of three months from today positively. However, this order shall not be construed to have any bearing on the merits of dispute involved herein.

6. In view of the afore-said terms, the present petition stands disposed off.

19<sup>th</sup> JULY, 2023  
*Sham*

(SANDEEP MOUDGIL)  
JUDGE

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |