

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-20077-2023 (O&M)
Date of Decision:-12.09.2023

Happy Saini and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kuldip Singh, Advocate, for the petitioners.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners assail order dated 22.8.2023 (Annexure P-6) passed by respondent No.2-the Registrar, Cooperative Societies, Haryana, wherein order dated 30.7.2019 (Annexure P-3) passed by the Deputy Registrar has been upheld.
2. In the present case while petitioner No.1 is stated to be working as 'Chowkidar-cum-Peon', petitioner No.2 is stated to be working as 'Peon' on DC rates on temporary basis. Vide order dated 30.7.2019, the Deputy Registrar rescinded the resolution dated 24.9.2018 passed by the Managing Committee with regard to the appointment of the petitioners while observing that only one post of Peon-cum-Chowkidar was lying vacant in the society whereas the Managing Committee had appointed two employees against one post. Various other reasons were also assigned including a reason that father

of petitioner No.2 was an elected member of Managing Committee when agenda was issued. Upon an appeal having been filed by the petitioners as well as by the Society, the Registrar upheld the aforesaid decision dated 30.7.2019.

- 3. I have heard the learned counsel for the petitioners.
- 4. Having regard to the fact that only one sanctioned post of Chowkidar-cum-Peon is provided whereas two persons were appointed, no fault can be found in the impugned order.
- 5. In view of the aforestated position, the instant petition is disposed of with a clarification that the Registrar Co-operative Societies shall proceed in accordance with law in case only one person is to be retained. However, in case there is some justifiable requirement on urgent basis of an additional Peon/Chowkidar and the rules permit for hiring an additional person, then the other petitioner be also considered, provided there is no other disqualification.
- 6. The aforesaid directions are only with respect to appointment on ‘temporary basis’.

12.09.2023
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(GURVINDER SINGH GILL)
JUDGE

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