IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.9253 of 2023
Date of decision: 31.12.2024

Jitender Dhiman. ...Petitioner.

Versus

The Registrar, Co-operative Societies & Ors. ...Respondents.

Coram:
Ms. Justice Jyotsna Rewal Dua, Judge.
Whether approved for reporting?[1]

For the petitioner	:	Mr. R.K. Dogra, Advocate.
For the respondents	:	Ms. Leena Guleria, Deputy Advocate General, for respondent No.1-State.
	:	Mr. Sunil Mohan Goel, Senior Advocate with Mr. Raman Jamalta, Advocate, for respondents No.2 & 3.

Jyotsna Rewal Dua, Judge

Petitioner's main challenge in this writ petition is to Rule 56(b)(iv) of the respondent-Bank's 'Employees' Service Rules'. In terms of these Rules, *"The employee shall be allowed to defend himself of by any other employee of the Bank, if he so desires, but an outsider shall not be allowed to conduct the defence on behalf of the delinquent employee."*

2. At this stage, learned counsel for the parties jointly apprised that challenge to Rule 56(b)(iv) of the aforesaid Rules prohibiting the outsiders' engagement as

[1] ***Whether reporters of Local Papers may be allowed to see the judgment? Yes***

defence counsel in disciplinary proceedings, has been rejected by the Hon'ble Division Bench of this Court in ***Bhagmal vs. The Registrar, Co-operative Societies & Ors.***[2].

In view of above decision, learned counsel for the petitioner fairly submits that the present writ petition does not survive for adjudication, therefore, he may be permitted to withdraw the writ petition. Prayer is accepted. The petition is disposed of as withdrawn. Pending miscellaneous application(s), if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

31th December, 2024
(Pardeep)

[2]CWP No.1069 of 2024 decided on 10.09.2024.