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

CWP-2025-2025

DATE OF DECISION : 18.02.2025

RAM SAWRUP

Versus

...PETITIONER

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM : HON'BLE MS. JUSTICE LAPITA BANERJI

Present : Mr. Rajeev Sharma, Advocate for the petitioner. .

LAPITA BANERJI, J.(ORAL)

Learned counsel appearing on behalf of the petitioner *inter alia* submits that the Deputy Registrar-respondent No.3 passed an erroneous order on December 31, 2024 (Annexure P-11) and had removed the petitioner from the post of Director from the Board of Directors of the Sirsa Central Cooperative Bank Limited-respondent No.5.

2. He submits that a show cause notice was issued on December 10, 2024. However, the same was served upon the petitioner on December 17, 2024. The petitioner was given an opportunity to file reply to the said show cause notice within a period of 15 days. However, without waiting for a period of 15 days, the impugned order was passed. He also submits that



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the Deputy Registrar breached the principles of natural justice in passing the impugned order as he was a member of the Board of Directors.

3. Issue notice of motion.

4. Mr. Sharad Aggarwal, DAG, Haryana accepts notice on behalf of respondents No.1 to 4/State. He submits that there was no breach of principles of natural justice as no action was initiated by the Board of Directors against the petitioner. The petitioner was removed upon enquiry of a complaint made by a member of the primary society.

5. Mr. J.S. Thind, Advocate along with Mr. Baismer Singh, Advocate represents respondent No.6-the complainant.

6. This Court has heard the learned counsel for the parties and perused the material on record.

7. Admittedly, the show cause notice was issued on December 10, 2024 and served on December 17, 2024 and without waiting for a period of 15 days, the impugned order was passed on December 31, 2024.

8. It appears to the mind of this Court that the impugned order has been passed in haste without due procedure being followed. Judicial review is permissible where the decision making process suffers from procedural impropriety. A beneficial reference may be made to the decision of the Apex Court in **K.C. Tripathi Vs. State Bank of India and others** reported in (1984) 1 SCC 43.

9. Therefore, the impugned order dated December 31, 2024 (Annexure P-11) is set aside.



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10. Since the first issue raised by the petitioner against respondents No.1 to 4 is accepted, this Court does not feel it necessary to adjudicate upon the second issue/contention raised by the petitioner.

11. Consequently, CWP-2025-2025 is **disposed of** by setting aside the impugned order.

12. Connected application(s), if any, shall also stand disposed of.

(LAPITA BANERJI)
JUDGE

18.02.2025

Prince

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No