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

CWP-3702-2024

Date of decision: 03.12.2025

Suresh Kumar

....Petitioner

Versus

The Registrar, Cooperative Societies and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Shiv Kumar, Advocate
for the petitioner.

Mr. Vikas Sonak, AAG, Punjab.

Mr. Harjot Singh Bedi, Advocate
for respondent No.5.**HARPREET SINGH BRAR, J. (ORAL)**

1. The present civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *certiorari* for setting aside the speaking order passed by respondent No.4 vide order dated 09.12.2021 (Annexure P-17) and further, for issuance of a writ in the nature of *mandamus* directing the respondents to release the balance of retiral benefits less paid and arrears of salary and also employees provident fund as well as security amount along with interest @ 18% per annum.

2. Learned counsel for the petitioner *inter alia* contends that the retiral dues of the petitioner were not paid on the due date. The petitioner served a legal notice in this regard as Annexure P-15 which remained unheeded and petitioner, thereafter, approached this Court by way of filing CWP No.21098 of 2021 titled as '*Suresh Kumar Vs. The Registrar Cooperative Societies and others*' decided on 28.10.2021 (Annexure P-16) with a direction to the official respondents to consider the legal notice as representation moved by the petitioner and decide the

same in accordance with law by passing a speaking order.

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3. The aforesaid direction was not complied with by the respondent which compelled the petitioner to file COCP No.591 of 2022 which was disposed of on 11.05.2023 on the assertion made by counsel for the respondent-Society that necessary compliance has been made and only, thereafter, partly sum of Rs.3,59,718/- was released which was paid on 17.05.2022. The petitioner further relies upon the calculation made during the audit (Annexure P-22) and submits that the petitioner has been paid his retiral dues and interest on delayed payment in terms of the conclusion drawn in the audit as discernible from Annexure P-22.

4. On the other hand, learned counsel for respondent No.5-Society has filed a written statement in the Court today which is taken on record and has relied upon another audit report in which the facts and figures regarding admissible dues are different.

5. I have heard the submissions made by learned counsel for the parties and have perused the record with their able assistance.

6. In compliance with the order dated 20.03.2025 passed by this Court in **CWP No. 7727 of 2025** titled **Paramjit Kaur vs. State of Punjab and others**, the Government of Punjab has constituted an Empowered Committee vide letter dated 16.04.2025. The said Committee was established under the Punjab Dispute Resolution & Litigation Policy, 2020, which aims to encourage the swift resolution of disputes, reduce future litigation, and address the considerable backlog faced by the Courts.

7. In view of the above, the present petition is disposed of in the following terms:



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- i. The Empowered Committee constituted under the Punjab Litigation Policy is hereby directed to treat the present writ petition as a comprehensive representation and to consider and adjudicate upon the issue raised herein. In the alternative, the petitioner shall be at liberty to submit a detailed representation setting out his claim within a period of two weeks from the date of receipt of a certified copy of this order.
- ii. The Committee shall pass a reasoned and speaking order, after granting an opportunity of personal hearing to the petitioner within a period of four months from the date of receipt of a certified copy of this order, or from the date of receipt of the representation of the petitioner as the case may be. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted to him forthwith.
8. Pending miscellaneous applications, if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

03.12.2025
Neha

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