



CWP-10253-2025

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

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CWP-10253-2025

Date of Decision: 22.05.2025

Mujahid Khan and another

...Petitioners

Versus

The Registrar, Cooperative Societies Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Rajeev Shama, Advocate for the petitioners

Ms. Rajni Gupta, Additional Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of orders dated 04.03.2025 (Annexure P-1 & P-2) vide which respondent No.3-Assistant Registrar, Cooperative Societies, Palwal has terminated their services in violation of Primary Agriculture Cooperative Societies Staff Service Rules, 2014 (amended 2017). They are further seeking setting aside of order dated 12.03.2025 (Annexure P-3) passed by respondent No.2-Deputy Registrar, Cooperative Societies, Gurugram whereby resolution dated 14.09.2023 was suspended.

2. The petitioners were appointed by Managing Committee of respondent No.4-Aherwan Multipurpose Primary Agriculture Cooperative Society Limited. Their appointment was made by resolution dated 14.09.2023. The Assistant Registrar, Cooperative Societies, Palwal vide two orders dated 04.03.2025 (Annexure P-1 & P-2) declared aforesaid resolution illegal and ordered to terminate the petitioners. The Deputy Registrar,



Cooperative Societies, Gurugram passed order dated 12.03.2025 whereby aforesaid resolution was suspended.

3. Learned counsel for the petitioner submits that on one hand Assistant Registrar passed order declaring the resolution illegal and on the other hand Deputy Registrar suspended the resolution. The Assistant Registrar was not competent to pass order under Section 27 of Haryana Cooperative Societies Act, 1984 (for short ‘1984 Act’), thus, Deputy Registrar to cure the defect passed order dated 12.03.2025. Till date final order has not been passed and by order dated 12.03.2025 resolution passed by Managing Committee was suspended. The grievance of the petitioner would be redressed if Deputy Registrar is directed to pass an appropriate order and till then the petitioners be allowed to continue in service.

4. Learned State counsel expressed her inability to controvert the fact that on account of order dated 12.03.2025 passed by Deputy Registrar, the orders passed by Assistant Registrar have lost significance. In view of order dated 12.03.2025 of Deputy Registrar, the orders of Assistant Registrar cannot sustain.

5. In the wake of statement of both sides, the present petition stands disposed of with a direction to respondent No.2-Deputy Registrar, Cooperative Societies, Gurugram to pass an appropriate order within a month from today in accordance with law. Till the passing of order by respondent No.2, the petitioners would remain in service.

(JAGMOHAN BANSAL)
JUDGE

22.05.2025
Mohit Kumar

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