

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

264 (19 cases)

CWP-12297-2023

Date of Decision:20.05.2025

Shubham and others

...Petitioners

Versus

Registrar, Cooperative Societies, Haryana and others

...Respondents

With

Sr. No.	Case No.	Petitioner(s)	Respondent(s)
2.	CWP-14791-2023	Vinay Partap and others	Registrar, Cooperative Societies, Haryana and others
3.	CWP-14805-2023 (O&M)	Vikas Kumar and others	Registrar, Cooperative Societies, Haryana and others
4.	CWP-14820-2023	Nisha Rani and others	Registrar, Cooperative Societies, Haryana and others
5.	CWP-14828-2023 (O&M)	Pardeep Kumar and others	Registrar, Cooperative Societies, Haryana and others
6.	CWP-14833-2023 (O&M)	Bhupender Kumar and others	Registrar, Cooperative Societies, Haryana and others
7.	CWP-14834-2023 (O&M)	Manish Kumar and others	Registrar, Cooperative Societies, Haryana and others
8.	CWP-14907-2023 (O&M)	Jaspreet Singh and another	Registrar, Cooperative Societies, Haryana and others
9.	CWP-17753-2023	Robin Singh and another	Registrar, Cooperative Societies, Haryana and others
10.	CWP-17778-2023 (O&M)	Manoj and others	Registrar, Cooperative Societies, Haryana and others
11.	CWP-19860-2023	Aniket and others	Registrar, Cooperative Societies, Haryana and others
12.	CWP-19910-2023	Ashish and others	Registrar, Cooperative Societies, Haryana and others



13.	CWP-19914-2023	Karam Singh and others	Registrar, Cooperative Societies, Haryana and others
14.	CWP-19938-2023	Ajay Rana and others	Registrar, Cooperative Societies, Haryana and others
15.	CWP-19939-2023	Vishal Rana and another	Registrar, Cooperative Societies, Haryana and others
16.	CWP-19941-2023	Vikas Kumar and another	Registrar, Cooperative Societies, Haryana and others
17.	CWP-19950-2023 (O&M)	Shakti Singh and another	Registrar, Cooperative Societies, Haryana and others
18.	CWP-19943-2023	Amit Sharma and others	Registrar, Cooperative Societies, Haryana and others
19.	CWP-29044-2023 (O&M)	Surender Singh and others	Registrar, Cooperative Societies, Haryana and others

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Surender Singh Dalal, Advocate for the petitioners
(in all the petitions)

Ms. Rajni Gupta, Additional Advocate General, Haryana

Mr. Sheetal Vaishnav, Advocate for respondent No.4
(in CWP-14820-2023, CWP-19860-2023, CWP-19943-2023, CWP-19914-2023, CWP-19910-2023, CWP-19938-2023, CWP-14907-2023, CWP-19939-2023 and CWP-17778-2023)

Mr. Arun Sharma, Advocate for respondent No.4
(in CWP-14805-2023, CWP-14828-2023, CWP-12297-2023 & CWP-14833-2023)

Mr. Sanjay Jain, Advocate for respondent No.5
(in CWP-17778-2023)

Mr. Shoryaveer Vashisht, Advocate for respondent Nos.5 to 7
(in CWP-14828-2023, CWP-14907-2023, CWP-14834-2023, CWP-14805-2023)

Mr. Fateh Saini, Advocate for respondent Nos.5 and 6
(in CWP No.14833-2023)

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common



order. For the sake of brevity and convenience, facts are borrowed from *CWP-12297-2023*.

2. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of communication dated 05.04.2023 (Annexure P-3) of respondent No.3-Assistant Registrar, Cooperative Societies, Ambala whereby he has proposed to direct *Prabandhak* of the Society that no work shall be taken from the petitioners. They are further seeking setting aside of notice dated 05.05.2023 (Annexure P-5) whereby respondent No.2-Deputy Registrar, Cooperative Societies, Kurukshetra has asked *Prabandhak* of the Society to file written reply and participate in the proceedings under Section 27 of Haryana Cooperative Societies Act, 1984 (for short '**1984 Act**'). For the ready reference, communications dated 05.04.2023 (Annexure P-3) and 05.05.2023 (Annexure P-5) of respondent No.3 and respondent No.2, respectively are reproduced as below:

Annexure P-3

"To

*Parbandhak
The Dhanoura Primary Cooperative Credit and
Service Society Ltd.,*

No. ARA/Steno/_____Dated _____

*Subject:- Regarding imposing stay on the appointments of
employees in The Dhanura Primary Credit and
Service society.*

*On the subject mentioned above, Sh Sagar and Sh
Satish S/o Sh. Jaipal Member of the Dhanoura Cooperative
and Credit Service Ltd. have made complaint in this office
and that the month of March 2022 5 employees have been
appointed. Society has been bifurcated from Binjalpur PACS
and neither there is Board of Administrator and nor
Managing Committee is in existence. Complainant has prayed
for giving time for hearing that till the matter of these*



appointments is enquired into, the stay may be imposed on the performance of these employees. It has been from the perusal of the office record that neither there is any Board of administrator in the society and nor the managing committee is in existence. It seems that these appointments have been made in a wrong manner in the General House meeting. Because General House has no powers to make appointments.

Thus, in the interest of society and as per the complaint till the above said enquiry is completed till then stay is imposed on the appointed employees of the society with immediate effect and Parbandhak is directed that no work be taken from these employees. It is for your information and necessary action. The next date of the enquiry of the complaint is fixed as 17.04.2023 at 11 AM.

*Sd/-
(Jitender Kaushik)
Assistant Registrar
Cooperative Societies, Ambala
Dated 05.04.2023”*

Endst No. ARA/Steno/12-13

Annexure P-5

“To

*Parbandhak
The Dhanora Cooperative Credit and Service Society
Ltd.
Dhaora, Tehsil Barata, Distt. Ambala*

No.DRK/G-i/Court/1990 dated 05.05.2023

*Subject:- Regarding Rescinding the resolution of the
Dhanura Primary Credit and Service society
Ltd., u/s 27 of the Haryana Cooperative
Societies Act, 1984*

With regard to matter cited in the subject, it is written that the Assistant Registrar, Cooperative Societies, Ambala vide his office letter No.381 dated 03.05.2023 has sent the matter to this office with his recommendation to rescind the resolution no. 01 dated 14.4.2022 under Section 27 of the Haryana Cooperative Societies Act, 1984. Thus, you are written that the above said shall be heard by Deputy Registrar on 30.05.2023 at 11.30 AM. You may come present alongwith record of the society alongwith written reply and submit your side. Besides, Managing Committee of the society be informed at your own level to participate in the aforesaid proceedings



and sent acknowledgement be sent to his office.

*Sd/-
Deputy Registrar,
Cooperative Societies, Kurukshetra
Sd/- 03.05.23”*

3. On being confronted with the contents of communication dated 05.05.2023 of Deputy Registrar, Cooperative Societies, Kurukshetra, learned counsel for the petitioner concedes that till date no order under Section 27 of 1984 Act has been passed. He further submits that authorities may be granted liberty to pass an order, however, services of the petitioners may be protected till the date of passing adverse order, if any.

4. Learned State counsel agrees with the offer of learned counsel for the petitioners and submits that competent authority would pass appropriate order, if necessary.

5. In the wake of statement of both sides, the present petitions stand disposed of.

6. It is hereby made clear that petitioners shall not be relieved till passing of adverse order, if any, by competent authority.

(JAGMOHAN BANSAL)
JUDGE

20.05.2025
Mohit Kumar

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