



105

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

**CWP-26318-2025 (O&M)
Date of decision: 05.09.2025**

Karambir

... Petitioner

Vs.

The Registrar, Cooperative Societies, Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aman Pal, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* seeking quashing of the order dated 11.04.2025 (Annexure P-10), vide which services of the petitioner were terminated and the order dated 22.08.2025 (Annexure P-17) passed by respondent No.1, whereby the appeal (Annexure P-15) filed by him stands dismissed.

2. Learned counsel for the petitioner, *inter alia*, contends that services of the petitioner are governed by PACS Service Rules, 2014 (amended in 2017) (for short 'Rules of 2014') and Rule 25 of the said Rules prescribes procedure for initiating inquiry and awarding punishment. Rule 26 of Rules of 2014 provides for filing an appeal before respondent No.3- Assistant Registrar against the order of dismissal. It is further contended that



the respondents have not followed the procedure as prescribed under Rule 25 of Rules of 2014 and the impugned order dated 11.04.2025 (Annexure P-10) was passed terminating the services of the petitioner without holding an inquiry, without issuance of any notice, without serving any chargesheet, without seeking reply and without service and supply of the documents and the major punishment of dismissal from service has been awarded in violation of the Rules of 2014. Further, the petitioner has specifically demanded the documents relied upon by the respondents, however, the same have not been supplied to him till date. Earlier, the petitioner had not filed the appeal under Rule 26 of Rules of 2014 before respondent No.3, as at that point of time, for non-compliance of the order dated 18.02.2025 (Annexure P-3) passed by this Court in CWP-4473-2025, he filed a contempt petition i.e. COCP-950-2025 against respondent No.3 and others, in which respondent No.3 was impleaded by name as respondent No.1. As such, respondent No.3 was keeping a grudge against the petitioner. In view of the peculiar facts and circumstances and apprehending no justice at the hands of respondent No.3, the petitioner approached respondent No.1 by filing an appeal (Annexure P-15) against the impugned order dated 11.04.2025 (Annexure P-10), however, vide impugned order dated 22.08.2025 (Annexure P-17), the same has been dismissed on the ground of being not maintainable.

3. Notice of motion.

4. Mr. Vikrant Pamboo, Advocate accepts notice on behalf of the respondents and submits that the appeal (Annexure P-15) filed by the petitioner can be heard by some other officer. He has no objection, if a



direction is issued to respondent No.1 to decide the appeal afresh in terms of Rule 26 of Rules of 2014, after affording an opportunity of hearing to the petitioner.

5. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

6. It is well settled principle of law that *justice should not only be done but should manifestly and undoubtedly also seen to be done*. This Court is of the opinion that there is likelihood of bias on the part of the respondent authorities against the petitioner. In the peculiar facts and circumstances of the present case, prejudice seems to have been caused to the petitioner, therefore, it is sufficient to quash the decision, as the same is not only required to be fair but also transparent.

7. In view of the facts and circumstances of the case, present writ petition is disposed of and the order dated 22.08.2025 (Annexure P-17) passed by respondent No.1, dismissing the appeal filed by the petitioner, is hereby set aside. Accordingly respondent No.1 is directed to hear the appeal (Annexure P-15) under Rule 26 of the Rules and pass an appropriate order afresh, in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of three months from the date of receipt of certified copy of this order.

05.09.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No