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

CWP-9917-2026

Date of decision: 06.04.2026

Ram Dass and others

...Petitioners

Versus

Haryana State Co-operative Supply and Marketing Federation Limited
(HAFED) and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Neeraj Sharma Shandilya, Advocate
for the petitioners.Mr. Vikrant Pamboo, Advocate
for respondent No.1.Mr. Piyush Khanna, Addl.A.G., Haryana
for respondent No.2.**HARPREET SINGH BRAR, J. (ORAL)**

1. The 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* to quash the impugned order (Annexure P-6) rejecting the decision of Board of Directors of HAFED dated 30.01.1997 (Annexure P-1). Further, for issuance of a writ in the nature of *mandamus* directing the respondents to implement the decision of Board of Directing of HAFED dated 30.01.1997 (Annexure P-1).

2. Learned counsel for the petitioners *inter alia* contends that the petitioners retired as Field Inspectors from HAFED. Prior to 01.04.1979, Field Inspectors (Junior) in HAFED as well as Inspectors in the Food and Supplies Department were both in the same pay scale. While revising pay scales in the year 1979, Inspectors of Food and Supplies were granted higher pay scale. The



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anomaly continued in the 1986 revision as well. The Board of Directors of HAFED being the competent authority decided on 30.01.1997 to remove anomaly w.e.f. 01.01.1986 granting the scale of Rs.1400-2600/-. The decision was approved by the Registrar, Cooperative Societies, Haryana who was present in the meeting. The Registrar has never raised any objection or recorded any dissent when the Board of Directors granted **the relief**. Some employees filed CWP Nos.7816 & 7817 of 1999 which were disposed of on 01.04.2025 directing respondent No.2 to take final decision within three months. In purported compliance, respondent No.2 passed the impugned order rejecting the Board's decision. The impugned order was supplied to the petitioner under the Right to Information on 17.09.2025 and an identical matter bearing CWP No.4266 of 2026 titled as ***Satpal Gupta and others Vs. Haryana State Co-operative Supply and Marketing Federation Limited and another*** was allowed by this Court on 12.02.2026 (Annexure P-7). The impugned order (Annexure P-6) rejecting the decision of the Board of Directors is illegal, arbitrary and passed without application of judicious mind. The Board of Directors was the competent and final authority to take the decision dated 30.01.1997 which was duly approved by the Registrar who attended the meeting of the Board of Directors. The case of the petitioners is squarely covered by the judgment rendered by this Court in ***Satpal Gupta's case (supra)***.

3. Learned counsel for respondent No.1 reiterates the impugned order (Annexure P-6) and submits that the pay scale as well as the designation of the employees of the respondent-Federation is entirely different from the Department of Food and Supplies. However, the respondent-Federation has its



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own source of income to run the organization and does not seek any financial help from the State Government. Thus, it is an absolute a separate entity, whereas, in the case of Department of Food and Supplies, it is purely a Government Department and runs with the State exchequer. As such, the Registrar, Cooperative Societies, Haryana has rightly disagreed with the decision taken by the Board of Directors.

4. Having heard the learned counsel for the parties and after perusing the record with their able assistance, it transpires that identical controversy has been considered by this Court in ***Satpal Gupta's case (supra)*** and the following was observed:-

“8. Having heard the learned counsel for the parties and after perusing the record with their able assistance, it transpires that, prior to the revision, the petitioners and the Inspectors in the Food and Supplies Department were placed in the same pay scale. Taking note of this historical parity, the Board of Directors considered the issue and, with a view to remove the anomaly, passed a resolution dated 30.01.1997. The said meeting was also attended by Sh. K.S. Bhorai, IAS, in his capacity as the Registrar, Co-operative Societies, Haryana, and no dissent or objection was recorded by him. On the contrary, a perusal of the resolution (Annexure P-1) clearly reflects that the proposal was unanimously approved, thereby restoring parity and removing the anomaly in the pay scales with effect from 01.01.1986.

*9. Admittedly, as per Rule 5 of the Haryana State Supply and Marketing Cooperative Service (Common Cadre) Rules, 1988 (in short “1988 Rules”), the pay scale of employees may be revised by the Board of Directors with the **approval of the Registrar**, Cooperative Societies, Haryana. Rule 5 of 1988 Rules reads as:-*

“5. CATEGORIES OF POSTS

The various categories of posts, their nomenclature, pay scales and sanctioned strength shall be as in Annexure 'A'. Provided that the Board shall be competent to add or delete any post or revise the scale of pay of any or all posts or add or reduce the number of posts mentioned in



Annexure 'A' with the approval of Registrar, Cooperative Societies, Haryana."

10. A Two Judge Bench of the Hon'ble Supreme Court in ***Sant Lal Gupta v. Modern Coop. G.H. Society Ltd 2010 INSC 704***, while speaking through Dr. Justice B.S. Chauhan observed as under:-

10. **Approval means** confirming, ratifying, assenting, sanctioning or **consenting to some act or thing done by another.** The very act of approval means, the act of passing judgment, the use of discretion, and determining as an adjudication therefrom unless limited by the context of the Statute. (Vide: ***Vijayadevi Navalkishore Bhartia & Anr. v. Land Acquisition Officer & Anr., 2003(2) RCR (Civil) 245 : (2003) 5 SCC 83***).

11. Further a Two Judge Bench of the Hon'ble Supreme Court in ***Shabbir Mohammad Sayed v. Mrs. Noor Jehan Mushter Shaikh 2022 INSC 784***, while speaking through Justice K.M. Joseph observed as under:-

"23. Therefore, the core principle of ratification is one by which a person approves of the act of another knowing about the act."

12. The judicial precedents establish a clear principle regarding the requirement of "approval". The Hon'ble Supreme Court in ***Sant Lal Gupta (supra)*** elucidated that the term "approval" connotes a conscious act of confirming, ratifying, assenting, or sanctioning an act done by another, which inherently involves the application of discretion and knowledge. Furthermore, the decision in ***Shabbir Mohammad Sayed (supra)*** clarifies that the core of ratification or approval rests on the foundation of knowledge; a person is deemed to have approved an act when they are fully aware of the act and consent to it.

13. Therefore, when a competent authority, is present at the time when a decision is made, participates in the proceedings, and raises no objection or dissent, it satisfies both the requirement of knowledge and the absence of any expression of disapproval constituting implied consent and a deemed approval of that decision.

14. It is undisputed that Sh. K.S. Bhorai, IAS, attended the meeting of the Board of Directors in his capacity as the Registrar, Cooperative Societies, Haryana, at which the resolution revising the pay scales (Annexure P-1) was unanimously passed. Despite being fully



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aware of the nature and implications of the resolution, he neither recorded any dissent nor raised any objection.

15. *In view of Rule 5 of the 1988 Rules, which mandates approval of the Registrar, his presence in the meeting, awareness of the unanimous decision, and further consciously letting the resolution to pass must be construed as implied approval. Consequently, the statutory requirement stands duly satisfied, as such, his approval as required by the statute, is deemed to have been received, thereby validating the revision of the pay scales with effect from 01.01.1986.”*

5. In view of the above, the present writ petition is allowed. Respondent No.1-Federation is directed to grant the consequential benefits to the petitioners in terms of the resolution dated 30.01.1997 (Annexure P-1) within a period of six months from the date of receipt of certified copy of this order.

6. It is made clear that the petitioners would not be entitled to any interest. Needless to say, in case the order is not complied within the stipulated time frame, the petitioners would be entitled to interest @ 6% from its due date till its actual realization.

(HARPREET SINGH BRAR)
JUDGE

06.04.2026

Neha

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