

CWP-11551-2026

2026:PHHC:060885



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

108

CWP-11551-2026Date of Decision: **22.04.2026**

The Dadheri Multipurpose Cooperative Agriculture Service Society Ltd
Dadheri

.....Petitioner

VERSUS

The State Of Punjab & Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Harjot Singh Bedi, Advocate and
Mr. Jatinder Singh, Advocate
for the petitioner.

Mr. Vikas Sonak, AAG, Punjab.

Mr. Ashwani Prashar, Advocate
for respondent No.5.

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* for setting aside the impugned order dated 25.03.2026 (Annexure P-9) passed by the Registrar, Cooperative Societies, Punjab, vide which the

2026:PHHC:060885



termination order dated 05.03.2026 passed by the petitioner society *qua* respondent No. 5 has been set aside without any provision of law, being wholly without jurisdiction and in violation of the principles of natural justice, as no opportunity of hearing was afforded to the petitioner society, and respondent No. 5 has been illegally reinstated despite the fact that he allegedly embezzled funds of the society and an FIR No. 282 dated 09.11.2025 stands registered against him. Further prayed that during the pendency of the present writ petition, the operation of the impugned order dated 25.03.2026 (Annexure P-9) passed by the Registrar, Cooperative Societies, Punjab be stayed.

2. On 18.04.2026 the following order was passed:-

“Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari, for setting-aside the impugned order dated 25.03.2026 (Annexure P-9) passed by the Registrar, Cooperative Societies, Punjab, vide which the termination order of respondent No.5 dated 05.03.2026 passed by the petitioner/Society has been set-aside. Further prayer has been made to stay the operation of the impugned order dated 25.03.2026 (Annexure P-9) passed by the Registrar, Cooperative Societies, Punjab, during the pendency of the writ petition.

Learned counsel for the petitioner, inter alia, contends that respondent No.5 was working as Secretary of the petitioner/Society and he was entrusted with maintaining records and financial transactions. However, a serious fraud came to light when one of the member, namely

2026:PHHC:060885



Karam Singh, who was abroad, discovered unauthorized entries and forged signatures on his cheque, pursuant to which a complaint dated 23.06.2025 was lodged (Annexure P-1). Thereafter, an enquiry was conducted by the Inspector, Cooperative Societies and a report was submitted to respondent No.4 – Assistant Registrar, Cooperative Societies, Amloh. Thereafter, the petitioner/Society issued a charge-sheet dated 03.11.2025 (Annexure P-4) and an FIR No.282 dated 09.11.2025 under Sections 316(2), 318(4), 336(3), 338, 340(2) of BNS (Annexure P-5) was registered at Police Station Gobindgarh Mandi, against respondent No.5. He further submits that the Enquiry Officer, after conducting due proceedings, proved the charges against respondent No.5 and after issuance of a show cause notice, the petitioner/Society terminated the services of respondent No.5 vide order dated 05.03.2026 (Annexure P-8). The Registrar, Cooperative Societies, Punjab, vide order dated 25.03.2026 (Annexure P-9), without issuing any notice to the petitioner/Society and without any statutory provision, set-aside the termination order and directed reinstatement of respondent No.5. Surprisingly, the respondent No.5 has not even filed a formal representation against the disciplinary action taken against him by the petitioner/Society and as such, the impugned order has been passed without jurisdiction and without having any statutory backing.

List again on 22.04.2026.

In the meantime, the operation of the impugned order dated 25.03.2026 (Annexure P-9) shall remain stayed.

This Court was inclined to seek explanation from the Registrar, Cooperative Societies, Punjab, by directing him to remain

2026:PHHC:060885



present before this Court on the next date of hearing to explain the basis and authority under which the impugned order dated 25.03.2026 (Annexure P-9) has been passed. However, the learned State Counsel has prayed for a short accommodation to have complete instructions in the matter.”

3. In compliance thereof, an affidavit of Mr. Girish Dayalan, IAS, Registrar Cooperative Societies, Punjab, Chandigarh has been filed on behalf of respondent No. 2 along with order dated 20.04.2026 (Annexure R-1), which is produced hereunder:-

“ 1. Reference is made to this office order dated 25.03.2026 passed in the matter of enquiry concerning Sh. Lakhvir Singh, Ex-Secretary, The Dadheri Muttipurpose Cooperative Agriculture Service Society Ltd., Dadheri.

2. The said order was passed on the administrative side on the basis of reports received from the field offices, i.e. the Assistant Registrar and Deputy Registrar concerned.

3. It has, however, been brought to notice that the petitioner society was not afforded an opportunity of hearing at this level prior to passing of the said order.

4. In order to ensure compliance with the principles of natural justice, the order dated 25.03.2026 is hereby withdrawn.

5. It is clarified that any aggrieved party shall be at liberty to seek appropriate remedy before the competent forum/authority in accordance with law.

6. It is further clarified that no opinion is expressed at this stage on the merits of the case.”

4. In view of the above, the present petition is disposed of with a direction that the aggrieved party shall be at liberty to seek the appropriate

2026:PHHC:060885



remedy available to them before the competent authority in accordance with law, as mentioned by respondent No. 2 in para No. 5 of the order dated 20.04.2026 (Annexure R-1).

(HARPREET SINGH BRAR)
JUDGE

22.04.2026
Parul Verma

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No