

IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA
CMPMO No.301 of 2011
Decided on: October 31, 2011

Ranjodh Singh

..Petitioner

Versus

State of H.P. & others

.. Respondents

Coram

The Hon'ble Mr. Justice Surjit Singh, Judge.

Whether approved for reporting?¹

For the Petitioner : Ms. Salochna Kaundal, Advocate.

**For the Respondents : Mr. Ramesh Thakur, Assistnat
Advocate General for
respondents No. 1 & 2.**

Surjit Singh, Judge (oral)

Heard and gone through the record.

2. Petitioner is employed as a Secretary in a Cooperative Society. His services were terminated by the Society. He filed an appeal, under Rule 21 of H.P. Primary Agriculture Credit Cooperative Societies Employees (Terms of Employment & Working Conditions) Rules, 2001, before the Registrar, Cooperative Societies. Alongwith the appeal, he filed a petition for staying the operation of order of dismissal, pending disposal of the appeal. Order, copy Annexure P-3, was passed on that application on 14.7.2011, staying the operation of the order of dismissal,

Whether reporters of the local papers may be allowed to see the judgment?

...2...

on acceptance of submission made by petitioner's counsel that the order of dismissal had been passed without holding any inquiry and without approval of the competent authority. Thereafter respondents appeared and raised objection qua the *ex parte* stay order. Main objection was that the petitioner, in case allowed to continue, would tamper with the record of the Society. Learned Joint Registrar, who heard the matter, vacated the stay order, vide order, copy Annexure P-4, which is dated 10.8.2011, without giving any reason. The order being not a reasoned one cannot be upheld. Hence, the present petition is allowed and the impugned order, Annexure P-4, which is dated 10.8.2011, is set aside. Registrar, Cooperative Societies, may pass a fresh order regarding stay, by giving reasons.

Disposed of.

October 31, 2011 (ss)

(Surjit Singh), J.