

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAI PUR

ORDER
IN
S. B. Civil Writ Petition No. 4078/2014

Naresh Kumar Vs. The State of
Rajasthan and Others

Date of Order :: 30.06.2014

Present
Hon'ble Mr. Justice Mohammad Rafiq

Shri Anil Kumar Garg, counsel for petitioner
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By the Court:-

Contention of learned counsel for petitioner is that even though the promotion of the petitioner has been wrongly withheld on the assumed basis of pendency of enquiry under Section 55 of the Rajasthan Cooperative Societies Act, 2001. In fact the enquiry was concluded and report was submitted on 28.03.2014 and in the enquiry report the petitioner has been exonerated of the alleged charges. The petitioner in his representation dated 17.01.2014 addressed to the Chairman/Secretary of the respondent Bank mentioned this fact, but even then the Managing Director of Alwar Central Cooperative Bank Limited vide his order dated 07.03.2014 has rejected the representation of the petitioner contending that he could not be considered for regularization by way of screening under the Rules of 2008 because of pending enquiry.

Learned counsel for the petitioner has produced for perusal of the court the enquiry report dated 28.03.2014 submitted by the Assistant Registrar, Cooperative Societies, Alwar, in which the case of the petitioner has been dealt with at item no. 2 and

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petitioner has been exonerated of all the charges.

Having regard to the facts afore-stated, writ petition is disposed of requiring the petitioner to make a representation to respondent no. 3 – the Managing Director, Alwar Central Cooperative Bank Limited, Alwar, who may reconsider its decision in the case of the petitioner for screening as per the Rules of 2008 taking into consideration the enquiry report dated 28. 03. 2014 and pass appropriate order with regard thereto within three months from the date the petitioner approaches him along-with a copy of this order.

Writ petition accordingly stands disposed of.

(Mohammad Rafiq) J.

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All corrections made in the judgment/order have been incorporated in the judgment/order being emailed.

Giriraj Prasad Jaiman
PS-cum-JW