

WPSS No. 2253 of 2014

U.C.Dhyani, J.

Mr. Niranjan Bhatt, Advocate, present for the petitioners.

Mr. Vikas Pandey, Standing Counsel, present for the State.

Learned counsel for the petitioners submits that present *lis* is squarely covered by a judgment rendered by Hon'ble Allahabad High Court in WPBS No. 3832 of 2012 (U.P. Sahkari Sangraha Karmchari Union vs. State of U.P.) on 11.05.2015. The relevant portion of the judgment reads as under:-

“It is submitted by the learned Senior Counsel that the members of the petitioner-Union as aforementioned are working along with the Amin and Amin Sahyogi in the matter of recovery of collection dues and that they are also holders of civil posts as held by the Division Bench in the Special Appeal no. 15 (S/B) of 1994, State of U.P. and Others Vs. Chandra Prakash Pandey and Others by judgment dated 05.05.1995 which was confirmed by the Supreme Court in the case reported in (2001) 4 SCC 78, Civil Appeal No.8467-68 of 1995, State of U.P. and Others Vs. Chandra Prakash Pandey and others. Learned Senior Counsel submitted that thereafter the respondents have framed the U.P. Cooperative Clerk Funds Amin and Other Staffs Service Rules, 2002.

The submission is that the petitioners are also the holders of civil posts working in the same Department and engaged in the same job of recovery of collection dues therefore the case of the petitioners must be considered at par with the Amin and Amin Sahyogi.”

..... [Emphasis supplied]

Learned counsel for the State fairly conceded that present writ petition may be decided in terms of WPBS No. 3832 of 2012, as above.

Accordingly, the writ petition is disposed of, with the consent of the learned counsel for the parties, in terms of judgment cited hereinabove.

The respondent No.1/the Secretary Cooperatives, Government of Uttarakhand, Dehradun is directed to take a decision in the matter, in accordance with law, expeditiously, preferably within a period of three months from the date of receipt of a certified copy of this order in consultation with the other requisite departments that may be involved in the decision making process.

[Pending application, if any, also stands disposed of.]

(U.C.Dhyani, J.)
31.10.2017

Kaushal