

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>31.01.2023</u>		<p>WPSS No. 167 of 2023</p> <p><u>Hon'ble Sharad Kumar Sharma, J.</u></p> <p>Mr. D.C.S. Rawat, Advocate for the petitioners.</p> <p>Mr. Sushil Vasistha, Standing Counsel for the State/respondent nos. 1 to 3.</p> <p>The petitioners to the present writ petition, have prayed for the following reliefs:</p> <p>“(i) Issue a writ order or direction in the nature of mandamus commanding and directing the respondents to prepare the combined seniority list of the Ankiks and Mini Bank Incharges working in different societies in District Pithoragarh, as being done in other districts of state.</p> <p>(ii) Issue a writ order or direction in the nature of mandamus commanding and directing the respondents to promote the Mini Bank Incharges as Cadre Secretary, by giving similar treatment to them like Ankiks and up to which years Ankiks have been promoted the Mini Bank Incharges appointed during that period, may also be promoted as</p>

			<p>Cadre Secretary.”</p> <p>The principal parameters governing the issuance of writ of mandamus, is that, it will be issued to an agency or a body created under an Act or statute, and it is a State under Article 12 of the Constitution of India.</p> <p>The Society with which the petitioner is working is a Cooperative Society, which is registered under the Uttarakhand Cooperative Societies Act; the Cooperative Societies, they are not a State, under Article 12 of the Constitution of India, thus, the writ petition by way of writ of mandamus to the Cooperative Societies, would not be tenable.</p> <p>The writ petition is, accordingly, dismissed with a liberty left open for the petitioners to invoke an appropriate remedy available to him, in accordance with law.</p> <p>(Sharad Kumar Sharma, J.) Vacation Judge 31.01.2023</p> <p>Mamta</p>
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