
(2010) 08 RAJ CK 0108
In the Rajasthan High Court

Shiv Narayan

APPELLANT

Vs

State of Rajasthan and Another

RESPONDENT

Date of Decision : 16-08-2010

Acts Referred:

Citation : (2010) 08 RAJ CK 0108

Hon'ble Judges : Vineet Kothari, J

Bench : Single Bench

Judgement

Vineet Kothari, J.—Heard the learned Counsel.

2. The petitioner - employee of the respondent Bhilwara Kraya Vikraya Sahkari Samiti Ltd., Bhilwara has made a representation to the Registrar, Cooperative Societies for giving benefit of 5th and 6th Pay Commissions" recommendation, since the respondent - Cooperative Society has not increased the pay scale of the employees.

3. The order impugned in the present writ petition is Annex.9 dtd.5.3.2009 passed by the Registrar, Cooperative Societies in which selection scale to the employees of the Cooperative Societies including the respondent could be given only subject to 5 conditions imposed in the said general circular order which prima facie indicates that such Cooperative Society can give selection scale of pay only if it is in continuous profit for last 3 years and has made sufficient provisions in various kinds of reserve for giving financial cushion to the said Cooperative Society.

4. Prima facie this Court sees nothing wrong in the said general order passed by the Registrar, Cooperative Societies and it is for the individual Cooperative Society to satisfy these criteria before giving selection scale as per recommendations of the Pay Commission.

5. Since the petitioner, an individual employee of the respondent - Cooperative Society has also filed representation way back on 27.2.2009 sent by registered AD post, but it appears that the said petitioner has not pursued this

representation with the Registrar, Cooperative Society, of whose he is the employee, it is the premature for the petitioner to approach this Court by way of present writ petition seeking any mandamus against the respondent - Cooperative Society. Therefore, this writ petition is disposed of with a liberty to the petitioner as well as respondent - Cooperative Society to satisfy the Registrar, Cooperative Society about the satisfaction of the conditions stipulated in the circular order dtd.5.3.2009 and seek appropriate orders from him.

6. With these observations, the present writ petition is disposed of. No order as to costs. A copy of this order be sent to the opposite parties.