

Haryana Sugarfed
Panchkula
Receipt No. 2862
Date 13-8-16.

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7-10-16

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No. _____ (DW) Writs Dated _____

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

1. State of Haryana through its Commissioner and Secretary, Government of Haryana, Cooperative Department, Haryana Civil Secretariat, Chandigarh.
2. Haryana State Federation of Cooperative Sugar Mills Ltd. Bay No. 49-52, Sector 2, Panchkula through its Managing Director.
3. The Registrar, Cooperative Societies, Panchkula.
4. The Bhuna Cooperative Sugar Mills Ltd., Bhuna District Fatehabad through its Liquidator.
5. The Director, Wahid Sandhar Sugars Ltd., GT Road, Phagwara.

Subject : CM No. 5273 of 2016 in CWP No. 2689 of 2007
Banwari Lal and others

.....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

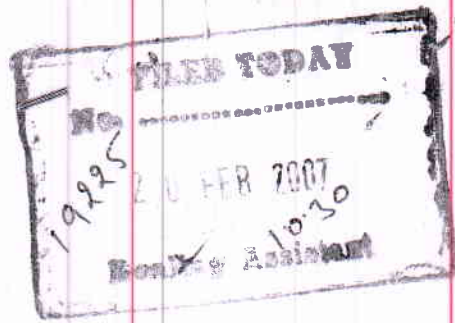
Sir,

In continuation of this court's orders dated 28.01.2015, I am directed to forward herewith a copy of orders dated **29.07.2016** passed by this Hon'ble High Court in the above noted case for immediate compliance.

Given under my hand and the seal of this Court on this 6th day of August, 2016.



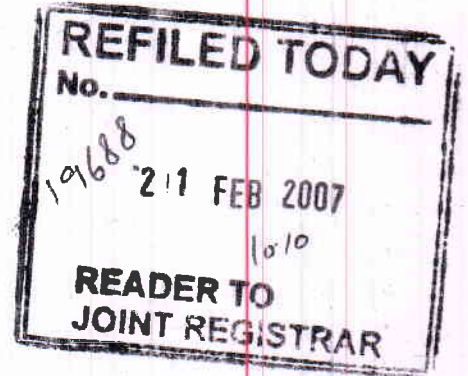
**Superintendent(Writs)
For Assistant Registrar (Writs)**



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH.

C.W.P.No. 2689 /2007
(Fatehabad District)

1. Banwari Lal s/o Sh.Luna Ram,
Pump Attendant (Seasonal)
V.P.O. Baijalpur, Distt.Fatehabad.
2. Lekh Raj s/o Jassa Ram
Lab. Boy (Seasonal)
V.P.O.Bhuna, Distt. Fatehabad.
3. Raj Kumar s/o Sh.Ranjeet Singh,
G.C./Manufacturing coolie(Seasonal)
V.P.O. Bhuna, Distt.Fatehabad.
4. Virender Kumar s/o Sh.Arjun Dev,
Pan Coolie (Seasonal)
V.P.O. Bhuna, Distt.Fatehabad.
5. Surinder Singh s/o Sh.Sukhbir Singh,
Oilman (Seasonal)
V.P.O. Katwal, Distt. Sonapat.
6. Shyam Lal s/o Sh.Babu Ram,
Manufacturing Coolie(Seasonal)
V.P.O.Tabar, Distt.Saharanpur(UP).
7. Ved Pal s/o Sh.Bhim Singh,
Pump Attendant (Seasonal)
V.P.O. Katwal, Tehsil Gohana, Distt.Sonapat.
8. Panchdev Yadav s/o Sh.Hardev Yadav
Assistant Pan Man (Seasonal)



V.Harish Chander Kodra, P.O.Bhatni (Perkol),
Distt.Deoria (UP).

9. Hanuman s/o Sh. Ram Rattan
Seed Lifting/Manufacturing Coolie (Seasonal)
V.P.O. Dhano Dult, Distt.Fatehabad.
10. Rajender s/o Sh.Har Chand
G.C./Manufacturing Coolie (Seasonal)
V.P.O.Baijalpur, Tensil Bhuna, Distt.Fatehabad.
11. Gian Chand s/o Sh.Nathu Ram
J.H. Attendant/J.H.Mate (Seasonal)
V.P.O. Baijalpur, Distt.Fatehabad.
12. Bhuwan Singh s/o Sh.Ramrup Singh,
Tubewell Attendant (Operator) /
Spray Pump Attendant (Seasonal)
V.Baroha, P.O.Hasuwa, Tehsil Merwan,
Distt.Siwal (Bihar).
13. Paramjit Kaur wd/o Rajesh Kumar,
B.B.Coolie (Seasonal)
C/o Pala Ram, Market Committee,
V.P.O.Bhuna, Distt. Fatehanad.
14. Narender Kumar s/o Manohar Lal,
Mollasses Recorder (Seasonal)
V.P.O. Bhuna, Distt.Fatehabad.
15. Devender Kumar s/o Sh.Gopi Chand,
Cane-Unloader (Crane) Operator (Seasonal)
4109, Kishanpuri, Muzaffar Nagar (UP).
16. Dharam Pal s/o Sh.Chandgi Ram,
B.C. Coolie (Seasonal)
V.P.O. Kami Road, New Sugar Mills,

H.No.54/2, Hanuman Nagar, Panipat.

17. Vishav Nath s/o Sh.Lal Bihari
Magna Operator(Seasonal)
V.Laxmipurbabu, Teshil Tumkuhi Raj,
Distt.Kushi Nagar(UP).
18. Bijli Yadav s/o Sh.Babu Lal
Feed Pump Attendant(Seasonal)
V.Sakla Gahara, P.O.Jishwalia,
Distt.Gopalganj(Bihar).
19. Sumer singh s/o Sh.Chhabil Dass,
Pit Cleaning Coolie(Seasonal)
V.P.O.Dhanodhi Kalan,
Tehsil Rajgarh, Distt.Churu(Raj).
20. Babu Lal Parsad s/o Sh.Shiv Nath,
Pan Man (Seasonal)
V.Batrauhbhi, P.O.Parsia Chhitni Singh,
Distt. Deoria(UP).
21. Dharampal s/o Sh.Mam Chand,
Magna Operator(Seasonal)
Seed Lifting Coolie(Seasonal)
V.P.O.Dhani Dult, Distt.Fatehabad.
22. Ajit Singh s/o Sh.Tara Chand,
Magna Operator(Seasonal)
V.P.O.Dhani Dult, Distt.Fatehabad.
23. Isup (Yasaf) s/o Sh.Firu,
Mill Bed Coolie(Seasonal)
V.P.O.Sup, Tehsil Badaut, Distt.Bagpat(UP).
24. jaswinder Singh s/o sh.Mahender singh
Mill House Pump/Attendant/B.C.Attendant(Seasonal)

25. Rama Nand Yadav s/o Sh. Inder Sain Yadav
Waterman (Seasonal)
V. Siktiya, P.O. Khukhsia,
Tehsil Bhatyar Rani, Distt. Deoria (UP).
26. Raghu Nath Yadav s/o Sh. Shiv Pujan Yadav,
B.B. Coolie (Seasonal)
V.P.O. Parsia Chhitni Singh,
Tehsil Bhatyar Rani, Distt. Deoria (UP).
27. Ramaya Yadav s/o Sh. Gharbharan Yadav,
B.B. Coolie (Seasonal)
V.P.O. Parsia Chhitni Singh,
Tehsil Bhatyar Rani, Distt. Deoria (UP).
28. Inder Singh s/o Sh. Surja Ram
C.F.O. (Seasonal)
V.P.O. Baijalpur, Distt. Fatehabad.
29. Nandji Sah s/o Sh. Bangali Sah,
Time Coolie (Seasonal)
V. Khuthon, P.O. Vijaypur, Distt. Gopalganj (Bihar).
30. Ramji Yadav s/o Sh. Shiv Rattan
Fireman (Seasonal)
V. Khorabar, P.O. Bankata Station,
Tehsil Bhatyar Rani, Distt. Deoria (UP).
31. Surender Kumar s/o Sh. Nand Lal
C.F.O. (Seasonal)
V.P.O. Kheri Barki, Distt. Hisar.
32. Vinod Kumar s/o Sh. Jagdish Chander,
Manufacturing Coolie (Seasonal)
V.P.O. Bhuna, Distt. Fatehabad.
33. Ranjit Yadav s/o Sh. Ram Narain Yadav,

Fireman (Seasonal)

V. Demusa (Mudri Tola), P.O. Ghati, Distt. Deoria (UP).

34. Sharda Nand Gupta s/o Sh. Ashanji Gupta

Mfg. Coolie (Seasonal)

V. Misroli, P.O. Titra, Distt. Siwan (Bihar).

35. Ram Pal s/o Sh. Banwari

Seed Lifting Coolie

V.P.O. Bhuna, Distt. Fatehabad.

.....Petitioners.

VERSUS

Handwritten marks on the left margin: a vertical line with a bracket, and the letters 'S', 'P', 'S', 'P' written vertically next to it.

1. The State of Haryana through its

Commissioner and Secretary to Govt. Haryana,

Co-operative Department, Haryana Civil Secretariat,

Chandigarh.

2. Haryana State Federation of Co-operative Sugar Mills

Ltd. Bay No. 49-52, Sector-2, Panchkula.

through its Managing Director.

3. The Registrar, Co-operative Societies, Haryana,

Sector-2, Sahakarita Bhawan, Panchkula.

4. The Bhuna Co-operative Sugar Mills Ltd.,

Bhuna, District Fatehabad.

through its Liquidator.

5. The Director, Wahid Sandhar Sugars Ltd.

G.T. Road, Phagwara (Punjab).

.....Respondents.

Petition under Articles 226/227 of the Constitution of India praying for issuance of an appropriate writ especially a writ in the nature

of Certiorari quashing the action of respondents in selling the Bhuna Cooperative Sugar Mills to Private persons without making efforts to absorb and adjust the petitioners in other Cooperative Sugar Mills as decided by the Hon'ble Chief Minister of Haryana, in spite of the fact that the similarly situated persons have been adjusted and absorbed in other cooperative sugar mills in Haryana and as such the action being illegal, arbitrary, discriminatory and violative of their own decision to adjust/absorb the employees/petitioners in other Cooperative Sugar Mills.

It is further prayed that the respondents be directed to adjust/absorb the petitioners in other Cooperative Sugar Mills or other Departments in the Haryana State has been done in the case of similarly situated persons i.e. some employees of Ch. Devi Lal Cooperative Mills Ltd., Sirsa.

It is further prayed that this Hon'ble court may be pleased to issue any other writ, order or directions which this Hon'ble Court may deem fit and proper in the peculiar facts and circumstances of the case.

RESPECTFULLY SHOWETH:

1. That the petitioners are the citizen of India who are aggrieved by the action of respondents in selling the Bhuna Cooperative Sugar Mills to Private persons without making efforts to absorb and adjust them in other Cooperative Sugar Mills as decided by the Hon'ble Chief Minister of Haryana

IN THE HON'BLE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.M. No. 5273 of 2016

In

CWP No.2689 of 2007

Banwari Lal and others

... Applicants

Versus

State of Haryana and Ors.

... Respondents

Application under section 151 CPC
for recalling the order/judgment
dated 28.01.2015 and for modifying
the same and for make provisions
for the employees who have
attained the age of superannuation
and for the period of the
employees remained out of service
till they are adjusted in the jobs
as directed in the judgment dated

28.01.2015 and make provisions for the legal heirs of the employees who have expired during the pendency of the captioned case.

Respectfully Showeth:

1. That the accompanying application is being filed in this Hon'ble court and the same is likely to succeed on the grounds mentioned therein which may be read as part of this application.
2. That the CWP No.2659 of 2007 titled as Banwari Lal versus State of Haryana and others has been decided alongwith a number of CWPs on 28.01.2015. Judgment was passed in main case CWP No.17837 of 2006 titled as Bhim Singh and others versus state of Haryana and others.
3. That the above said cases were decided with the following directions:

"In view of the above, learned counsel for the parties are ad idem that let all these writ

...
Banwari Lal and others Vs. State of Haryana and others
....

Present : Pt. Hari Om Sharma, Advocate for the applicant-petitioner.
....

During the course of hearing, when confronted with the actual as well as legal aspect of the matter to suggest under what provisions of law, the instant application shall be allowed, learned counsel for the applicant had no answer and rightly so, it being a matter of record.

In this view of the matter, no case for interference has been made out.

Dismissed.

29.7.2016

GS

Again DW
1-8-16

AF added
Magister
6/8/16

Sub
8/8/16

Sd/ (RAMESHWAR SINGH MALIK)



Sms
10/7/16