

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 24771/2025

1. The Sahuwala Gram Seva Sahkari Samiti Ltd., Sahuwala Through Its Manager.
2. Pawan Kumar S/o Late Bhup Singh, Aged About 36 Years, R/o Village Janana, 1 Bbm, Hanumangarh, Rajasthan.

-----Petitioners

Versus

1. Registrar, Cooperative Societies, Rajasthan, Jaipur.
2. Executive Officer, Central Cooperative Bank, Hanumangarh.
3. Deputy Registrar, Cooperative Societies, Rajasthan, Hanumangarh.
4. Managing Director, Central Cooperative Bank, Hanumangarh.
5. Shree Devatram Swami, Then Manager, Sahuwala Gram Seva Sahkari Samiti Ltd., Sahuwala.

-----Respondents

For Petitioner(s) : Mr. Mahaveer Singh
For Respondent(s) : -

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/03/2026

By way of filing the present writ petition, the petitioners have prayed for the following reliefs:-

"It is, therefore, humbly prayed that the present writ petition may kindly be allowed with COSE and order dated 09.12.2025 (Annexure-7) passed by Respondent no.2 may be quashed and set aside and the respondent no.5 may be removed from the post of Manager at Sahuwala Gram Seva Sahkari Samiti Ltd., Sahuwala ..."

2. Having heard learned counsel for the petitioner and upon perusal of the material available on record, this Court finds that

the order dated 09.12.2025 passed by the Deputy Registrar, Co-operative Societies, Hanumangarh, revoking the suspension of the Manager of Sahuwala Primary Multipurpose Village Co-operative Society Limited, namely Shri Devat Ram (respondent No. 5), has been challenged by the petitioner-society primarily on the ground that there are serious allegations of financial irregularities against the said Manager, who was placed under suspension on 11.01.2022.

3. It is contended that proceedings under various provisions of the Co-operative Societies laws are pending against respondent No. 5 and, therefore, in the event of his reinstatement, he would be in a position to influence witnesses and tamper with the evidence. It is further contended that Rule 42.3 of the Rajasthan Co-operative Societies (Recruitment, Selection Process and Service) Rules, 2022 categorically provides that a suspended employee cannot be reinstated without the approval/consent of the Board of Directors of the concerned society.

4. This Court, after considering the submissions made by learned counsel for the petitioner, is unable to accept the same. It is not in dispute that respondent No. 5 was placed under suspension with effect from 11.01.2022 by the Deputy Registrar, Co-operative Societies, Hanumangarh, in exercise of powers conferred under Section 39(4) of the Rajasthan Co-operative Societies Act/Rules. The impugned order dated 09.12.2025 (Annexure-07) indicates that, till date, the President/Board of Directors of the petitioner-society has not served any charge-sheet upon respondent No. 5, and only an inquiry under Section

55 of the Rajasthan Co-operative Societies Act, 2001 was proposed.

5. It is settled law that prolonged suspension without any justifiable cause results not only in wastage of human resources but also causes mental agony to the suspended employee and his family. An order of suspension cannot be used as a tool to keep an employee away from official duties indefinitely. In the present case, respondent No. 5 has already remained under suspension for more than three years. The competent authority, i.e., the Deputy Registrar, Co-operative Societies, Hanumangarh, was, therefore, well within its jurisdiction to reconsider the matter and revoke the order of suspension dated 11.01.2022.

6. The impugned order dated 09.12.2025 (Annexure-07) does not suffer from any illegality or jurisdictional error warranting interference by this Court in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India.

7. In view of the aforesaid discussion, the present writ petition is dismissed, being devoid of merit.

8. The stay petition and all other pending applications, if any, also stand disposed of.

(KULDEEP MATHUR),J