



CNR: KAHC010100282023

NC: 2026:KHC:41544
WP No. 4838 of 2023
C/W WP No. 2884 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO.4838 OF 2023 (CS-RES)

C/W

WRIT PETITION NO.2884 OF 2023 (CS-RES)

IN WP No.4838/2023

BETWEEN:

SRI. PURANIK MARATHE
S/O RAMA BHAT
AGED ABOUT 63 YEARS
RESIDING AT AYODHYA
MALA POST AND VILLAGE
KARKALA TALUK, UDUPI-574 122.

...PETITIONER

(BY SRI. RAKSHITH KUMAR, ADVOCATE)

AND:

1. THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES
KUNDAPUR SUB-DIVISION
KUNDAPUR, UDUPI DISTRICT-576201.
2. MALA-KERVASHE VYAVASAYA
SEVA SAHAKARA SANGHA LTD
MALA POST, KARKALA TALUK
UDUPI DSITRICT - 574122.
BY ITS CHEIF EXECUTIVE OFFICER,
KARNATAKA CO-OPERATIVE SOCIETIES ACT, 1965.
3. SRI PUSHPARAJ SHETTY
S/O LATE SHYAMA SHETTY

Digitally
signed by
GEETHA P G

Location:
HIGH
COURT OF
KARNATAKA



CNR: KAHC010100282023

NC: 2026:KHC:41544
WP No. 4838 of 2023
C/W WP No. 2884 of 2023

AGED ABOUT 56 YEARS
R/AT 'PREMA NILAYA'
MALA VILLAGE, MANJALTHAR POST
KARKALA TALUK
UDUPI DISTRICT-574122.

4. SRI RAVI SHETTY
S/O LATE SHYAMA SHETTY
AGED ABOUT 63 YEARS
R/AT 'PREMA NILAYA'
MALA VILLAGE, MANJALTHAR POST
KARKALA TALUK
UDUPI DISTRICT-574122.
5. VENKATESH GORE
S/O GORE CHANDRASHEKARA BHAT
AGED ABOUT 70 YEARS
R/AT HOSAMANE,
MALA POST AND VILLAGE
KARKALA TALUK, UDUPI DISTRICT-574122.

...RESPONDENTS

(BY SRI YOGESH D. NAIK, AGA., FOR R.1;
SRI. H. JAYAKARA SHETTY, ADVOCATE FOR R.2;
R.3 TO R.5 : SERVED AND UNREPRESENTED.)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF
THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE
IMPUGNED ORDER DATED 23.01.2023 PRODUCED HERewith
AS ANNEXURE-A, PASSED BY THE KARNATAKA APPELLATE
TRIBUNAL AT BENGALURU IN APPEAL NO.115 OF 2020 PARTLY
ALLOWING THE IA FOR STAY FILED BY THE PETITIONER, ETC.



CNR: KAHC010100282023

NC: 2026:KHC:41544
WP No. 4838 of 2023
C/W WP No. 2884 of 2023

IN WP NO.2884/2023

BETWEEN:

1. VENKATESH GORE
S/O GORE CHANDRASHEKARA BHAT
AGED ABOUT 67 YEARS
RESIDING AT HOSAMANE
MALA POST AND VILLAGE
KARKALA TALUK,
UDUPI DISTRICT-574122.

...PETITIONER

(BY SRI. RAKSHITH KUMAR, ADVOCATE)

AND:

1. THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES
KUNDAPUR SUB-DIVISION
KUNDAPUR, UDUPI DISTRICT-576201.
2. MALA-KERVASHE VYAVASAYA
SEVA SAHAKARA SANGHA LTD
MALA POST, KARKALA TALUK
UDUPI DISTRICT - 574122.
BY ITS CHIEF EXECUTIVE OFFICER,
KARNATAKA CO-OPERATIVE SOCIETIES ACT, 1956.
3. SRI PUSHPARAJ SHETTY
S/O LATE SHYAMA SHETTY
AGED ABOUT 56 YEARS
R/AT 'PREMA NILAYA'
MALA VILLAGE, MANJALTHAR POST
KARKALA TALUK
UDUPI DISTRICT-574122.
4. SRI RAVI SHETTY
S/O LATE SHYAMA SHETTY
AGED ABOUT 63 YEARS
R/AT 'PREMA NILAYA'



CNR: KAHC010100282023

NC: 2026:KHC:41544
WP No. 4838 of 2023
C/W WP No. 2884 of 2023

MALA VILLAGE, MANJALTHAR POST
KARKALA TALUK
UDUPI DISTRICT-574122.

5. SRI PURANIK MARATHE
S/O RAMA BHAT
AGED ABOUT 63 YEARS
RESIDING AT AYODHYA
MALA POST AND VILLAGE
KARKALA TALUK,
UDUPI DISTRICT-574122.

...RESPONDENTS

(BY SRI YOGESH D. NAIK, AGA., FOR R.1;
SRI. H. JAYAKARA SHETTY, ADVOCATE FOR R.2;
R.3 TO R.5: SERVED AND UNREPRESENTED.)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227
OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH
THE IMPUGNED ORDER DATED 23.01.2023 PRODUCED
HEREWITH AS ANNEXURE-A, PASSED BY THE KARNATAKA
APPELLATE AUTHORITY IN APPEAL NO.115 OF 2020
PARTLY ALLOWING THE IA-I FOR STAY FILED BY THE
PETITIONER, ETC.

THESE PETITIONS COMING ON FOR PRELIMINARY
HEARING IN 'B' GROUP, THROUGH PHYSICAL HEARING/VIDEO
CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS
UNDER:



CNR: KAHC010100282023

NC: 2026:KHC:41544
WP No. 4838 of 2023
C/W WP No. 2884 of 2023

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

1. Both the petitions have been filed challenging the refusal on the part of Karnataka Appellate Tribunal (KAT) in granting an interim order in favour of the petitioners in Appeal No.115/2020. Before the KAT, the petitioners have challenged the impugned order passed by respondent no.1-Assistant Registrar of Co-operative Societies.

2. In W.P.No.2884/2023, this Court on 07.02.2023 has stayed the impugned order of respondent no.1 and the following order is passed:

"Sri.Devi Prasad Shetty., learned counsel on behalf of Sri.Rakshith Kumar., for petitioner has appeared in person.

Learned Government Advocate is directed to take notice on behalf of respondent No.1.

Issue notice to respondents 2 to 5.

There shall be an interim order of stay of the further enquiry proceedings pursuant to the order dated:19.06.2020 passed by the Assistant Registrar of Co-operative Societies, Kundapura Sub-division,



CNR: KAHC010100282023

NC: 2026:KHC:41544
WP No. 4838 of 2023
C/W WP No. 2884 of 2023

Kundapura in Dispute No.01/2016-17 vide Annexure-B in so far as petitioner is concerned."

3. Subsequently, in W.P.4838/2023 on 01.03.2023, the following order was passed:

- "1. Learned Additional Government Advocate accepts notice for respondent No.1.*
- 2. Issue emergent notice to respondent Nos.2 to 5 returnable by 19.04.2023.*
- 3. In view of the orders passed in WP.No.2884/2023, the further proceedings before the Assistant Registrar of Co-operative Societies, Kundapura Sub-Division, in dispute bearing No.1/2016-17 at Annexure-B is stayed, till the next date of hearing.*
- 4. Registry to connect the above petition to W.P.No.2884/2023 and re-list on 19.04.2023.*
- 5. Process fee and copies to be furnished by the end of the day tomorrow, failing which, the interim order passed would stand automatically vacated."*

4. Both learned counsel for petitioners as well as learned Additional Government Advocate together submit that, as the writ petitions only pertain to non-granting of



NC: 2026:KHC:41544
WP No. 4838 of 2023
C/W WP No. 2884 of 2023

CNR: KAHC010100282023

interim prayers in Appeal No.115/2020. In the light of interim orders granted by this Court, the writ petitions can be disposed of with a direction to KAT to dispose of the appeal on merits while continuing the interim orders passed by this Court till disposal of the said appeal. Their submission is placed on record.

5. Hence, the following:

ORDER

- (i) The writ petitions are ***disposed of*** with a direction to the Karnataka Appellate Tribunal to dispose of Appeal No.115/2020 as expeditiously as possible;
- (ii) The interim orders granted by this Court shall continue to operate till disposal of the appeal by KAT;
- (iii) It is hereby made clear that no opinion is expressed on merits of the case and the KAT is directed to dispose of the appeal



CNR: KAHC010100282023

NC: 2026:KHC:41544
WP No. 4838 of 2023
C/W WP No. 2884 of 2023

without being influenced by any of the
observations made herein above.

Sd/-
(M.I.ARUN)
JUDGE

PGG
List No.: 1 SI No.: 36