



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO.9312 OF 2026 (CS-RES)

BETWEEN:

1. SRI. P.K. SIDDEGOWDA
S/O S KARUGUNDE GOWDA,
AGED ABOUT 53 YEARS
MEMBER OF SOGALAPALYA MILK
PRODUCERS CO-OPERATIVE SOCIETY LTD.,
R/AT SOGALAPALYA VILLAGE.
VIRUPAKSHIPURA HOBLI.
CHANNAPATNA TALUK,
RAMANAGARA DISTRICT-562138.
2. SRI. P.S. CHANDRA SHEKAR
S/O SHIVANNA
AGED ABOUT 39 YEARS
MEMBER OF SOGALAPALYA MILK
PRODUCERS CO-OPERATIVE SOCIETY LTD.,
R/AT SOGALAPALYA VILLAGE,
VIRUPAKSHIPURA HOBLI,
CHANNAPATNA TALUK,
RAMANAGARA DISTRICT- 562138.
3. SRI. EREGOWDA
S/O CHIKAMASTHI GOWDA
AGED ABOUT 35 YEARS
MEMBER OF SOGALAPALYA
MILK PRODUCERS CO-OPERATIVE
SOCIETY LTD.,

Digitally signed
by: CHAYAS A
Location: HIGH
COURT OF
KARNATAKA



R/AT SOGALAPALYA VILLAGE,
CHANNAPATNA TALUK,
VIRUPAKSHIPURA HOBLI,
RAMANAGARA DISTRICT- 562138.

...PETITIONERS

(BY SRI. M.R. RAJGOPAL, SENIOR ADVOCATE FOR
SRI. THILAKRAJ S.V., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF CO-OPERATION,
M.S. BUILDING,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU-560001.
2. THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES
RAMANAGARA SUB DIVISION,
RAMANAGARA,
BENGALURU SOUTH DISTRICT-562159.
3. THE ADMINISTRATOR,
SOGALAPALYA MILK PRODUCERS
CO-OPERATIVE SOCIETIES,
SOGALAPALYA,
CHANNAPATNA TALUK,
RAMANAGARA SOUTH DISTRICT-562138.
4. THE SECRETARY,
SOGALAPALYA MILK PRODUCERS
CO-OPERATIVE SOCIETIES,
SOGALAPALYA, CHANNAPATNA TALUK,
RAMANAGARA SOUTH DISTRICT-562138.



5. SRI. HEMALINGE GOWDA,
S/O KUNNEGOWDA,
AGED ABOUT 50 YEARS,
SOGALAPALYA MILK PRODUCERS
CO-OPERATIVE SOCIETIES,
SOGALAPALYA, CHANNAPATNA TALUK,
RAMANAGARA SOUTH DISTRICT - 562138.

...RESPONDENTS

(BY SRI. YOGESH D. NAIK, AGA FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER PASSED BY THE KARNATAKA APPELLATE TRIBUNAL DATED 24/02/2026 ON IA NO. 1 IN C- OPERATIVE APPEAL NO. 360/2025 AS PER ANNEXURE -M; AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

Learned Additional Government Advocate accepts notice for respondent Nos.1 and 2.

2. In this writ petition, the petitioners are assailing (i) the order dated 24.02.2026 passed on I.A. No. 1 in Co-operative Appeal No. 360 of 2025



(Annexure-M), and (ii) the order dated 21.11.2025 passed in Dispute No. 80/2022-23 (Annexure-J) by respondent No. 1. The petitioners have, inter-alia, sought for a direction to the authorities to restore the order of dismissal of respondent No.5 from the post of Secretary of respondent No.3-Society.

3. Heard Sri M. R. Rajgopal, learned Senior Counsel appearing for learned counsel Sri. Thilakraj S.V., for the petitioners, and Sri. Yogesh D. Naik, learned Additional Government Advocate appearing for the respondent-State.

4. Sri M. R. Rajgopal, learned Senior Counsel appearing for the petitioners, submits that the Karnataka Appellate Tribunal has erroneously dismissed I.A. No. 1 filed by the petitioners seeking to challenge the award dated 21.11.2025 passed by respondent No. 1. It is contended that the petitioners



have substantial interest in the respondent-Society and that any loss incurred by the Society would adversely affect the rights of its shareholders, including the petitioners herein.

5. It is further contended that the petitioners are “persons aggrieved” and are entitled to challenge the impugned award in view of the law declared by the Hon’ble Supreme Court in ***Jasbhai Motibhai Desai vs. Roshan Kumar*** reported in **(1976) 1 SCC 671**. The learned Senior Counsel submits that the provisions of the Karnataka Co-operative Societies Act, 1959 requires a liberal construction to safeguard the interests of the members of the Society, and therefore, seeks interference of this Court. It is also argued that the Karnataka Appellate Tribunal has not properly appreciated the law laid down by the



Constitution Bench referred to above and as such sought for interference of this Court.

6. Per contra, Sri. Yogesh D. Naik, learned Additional Government Advocate submits that an Administrator has already been appointed to the respondent-Society and Chief Executive Officer (CEO) is managing its affairs. It is therefore contended that the Karnataka Appellate Tribunal has considered the contentions of the petitioners in detail and rightly dismissed the application and as such sought for dismissal of the writ petition.

7. In the light of the submissions made by the learned counsel appearing for the parties, it is not in dispute that the petitioners have challenged the award passed by respondent No.2 before the Karnataka Appellate Tribunal in Appeal No. 360 of 2021. The core question that arises for consideration is whether the



members of the respondent-Society have the *locus standi* to challenge the impugned award before the Karnataka Appellate Tribunal.

8. In this regard, Section 29(G)(4)(j) of the Karnataka Co-operative Societies Act, 1959 provides that the CEO is the competent authority to sue and be sued on behalf of the Society. It is also not in dispute that the State has appointed an Administrator to manage the affairs of the respondent-Society.

9. A perusal of the impugned order at Annexure-M, particularly paragraph 18, indicates that the Karnataka Appellate Tribunal has considered the judgment of the Hon'ble Supreme Court in ***Jasbhai Motibhai Desai*** (*supra*) and has rightly concluded that the appellants therein do not have *locus standi* to challenge the impugned award.



10. Further, paragraph 34 of the aforesaid judgment of the Hon'ble Supreme Court clarifies the concept of *locus standi* in invoking jurisdiction under Article 226 of the Constitution of India. In the present case, the petitioners, being members of the Society, cannot be construed as "aggrieved persons" to independently challenge the award, especially when the statute confers the authority to represent the Society upon the CEO, and the affairs of the Society is being presently under the control of Administrator.

11. In that view of the matter, and having regard to the detailed consideration made by the Karnataka Appellate Tribunal, this Court is of the opinion that the petitioners cannot be treated as aggrieved parties. The CEO and the Administrator are competent to safeguard the interest of the respondent-society.



12. However, it is to be noted that, the Karnataka Appellate Tribunal has safeguarded the interests of the petitioners by granting liberty to them to approach the CEO/Administrator with regard to their grievances as urged in I.A. No. 1.

13. In view of the above, this Court do not find any infirmity in the impugned order passed by the Karnataka Appellate Tribunal at Annexure-M. Accordingly, with the above observations, the writ petition is ***disposed of***.

**SD/-
(E.S.INDIRESH)
JUDGE**