



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF APRIL, 2026

BEFORE

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

WRIT PETITION NO. 12448 OF 2026 (CS-RES)

BETWEEN:

SMT. PREMA KUMARI @ PREMA
W/O JNANESH, AGED ABOUT 49 YEARS
SECRETARY, MILK PRODUCERS WOMEN
CO-OPERATIVE SOCIETY LTD
S KODAGAHALLI VILLAGE,
MELUKOTE HOBLI
PANDAVAPURA-571434
MANDYA DISTRICT.

...PETITIONER

(BY SRI. JAI PRAKASH REDDY M., ADVOCATE)

AND:

1. ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES
PANDAVAPURA SUB DIVISION
PANDAVAPURA-571434
MANDYA DISTRICT
2. MILK PRODUCERS WOMEN CO-OPERATIVE
SOCIETY LTD
S KODAGAHALLI VILLAGE, MELUKOTE HOBLI
PANDAVAPURA-571434
MANDYA DISTRICT
BY ITS PRESIDENT
SOCIETY REGISTERED UNDER KARNATAKA CO-

Digitally signed
by CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



OPERATIVE SOCIETIES ACT

3. SMT. D PALLAVI
W/O DEVEGOWDA
AGED ABOUT 35 YEARS
EX-INCHARGE SECRETARY
MILK PRODUCERS WOMEN CO-OPERATIVE
SOCIETY LTD
S KODAGAHALLI VILLAGE, MELUKOTE HOBLI
PANDAVAPURA-571434
MANDYA DISTRICT

...RESPONDENTS

(BY SRI. YOGESH D NAIK, AGA FOR R1, SRI RAGHUNANDAN M.S. FOR C/R2, NOTICE TO R2 IS DISPENSED WITH VIDE ORDER DATED 27.07.2026)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE ORDER DATED 18-07-2024 IN DISPUTE NO.AR40/DDS/13/2019-20 VIDE ANNEXURE-F PASSED BY RESPONDENT NO.1 SO FAR THE OBSERVATION THAT AS THERE ARE CHARGES AGAINST THE PETITIONER AND THE PETITIONER SHOULD BE ASSIGNED ALTERNATIVE WORK OTHER THAN THE DUTY OF SECRETARY ON TEMPORARY BASIS AND ETC.

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



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

ORAL ORDER

In this petition, the petitioner is assailing the impugned Order dated 18.07.2024 in Dispute No.AR40/DDS/13/2019-20 (Annexure-F) passed by respondent No. 1, interalia sought for quashing the Order dated 25.03.2026 on IA No.2 in Appeal No.1/2026 (Annexure-K) passed by the Karnataka Appellate Tribunal.

2. It is contended by Sri Jai Prakash Reddy M, learned counsel appearing for the petitioner that, 30 charges were framed during 2018. However, no notice has been issued to the petitioner nor Enquiry Officer has been appointed. Therefore, learned counsel places reliance on the judgment of the Hon'ble Supreme Court in the case of ***Ajay Kumar Choudhary Vs. Union of India, through its Secretary and Another***, reported in **(2015) 7 SCC 291** and submitted that there should not be any prolonged suspension/dismissal of the pending enquiry and therefore sought for interference of this Court.



3. *Per contra*, Sri Raghunandan M.S., learned counsel appearing for respondent No.2-Society, submitted that, the Karnataka Appellate Tribunal after considering the material on record had arrived at a conclusion that in the event, the petitioner is reinstated as the Secretary to respondent No. 2- Society, where the enquiry is to be conducted against the petitioner, under such circumstances, the interest of the Society would be jeopardized and accordingly sought for dismissal of the petition.

4. Sri Yogesh D Naik, learned Additional Government Advocate, appearing for the respondent No.1, submitted that the respondent-Society as well as the Karnataka Appellate Tribunal had taken the fact as to statutory enquiry to be conducted in respect of the misconduct of the petitioner herein, as per Section 64 of the Karnataka Co-operative Societies Act, 1959, and therefore, the same does not call for any interference of



this Court and accordingly, sought for dismissal of the petition.

5. In the light of the submissions made by the learned counsel appearing for the parties and careful examination of the material placed on record would indicate that the petitioner herein has already approached this Court, in W.P.No.21250/2025, challenging the implementation and execution of the order dated 18.07.2024 passed by respondent No. 1 in Dispute No.13 of 2019-2020, and the said proceedings has been stayed by this Court by an interim order dated 08.08.2024 and at the instance of the petitioner.

6. In that view of the matter, taking into consideration the charges levelled against the petitioner herein and also taking into consideration the notice under Section 69(1) of the Act as per Annexure H, I am of the considered opinion that, no interference is called for in this petition.



7. As the aforementioned judgment of the Hon'ble Supreme Court is as to the suspension of the order that has been passed by the employer against the delinquent therein, as in the present case the petitioner herein has been discharged from the service and further the notice as per Section 69 of the Act, has been issued to him and as such I am of the view that, the petitioner be directed to appear for enquiry on 16.02.2026 and as such, I am of the considered opinion that no interference is called for under Article 227 of the Constitution of India, at this stage.

Accordingly, the petition stands dismissed.

SD/-
(E.S.INDIRESH)
JUDGE

HR
List No.: 2 Sl No.: 11