

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 WRIT PETITION NO. 2305 OF 2015

SANJAY VEDU SHINDE AND ANOTHER
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. VD Hon, Sr. Counsel h/for Mr.
Hon Ashwin V.

Mr. SK Kadam, AGP for Respondents Nos. 1 to 4

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CORAM : R. M. BORDE & P.R. BORA, JJ.

Dated: February 27, 2015

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PER COURT :-

1) This petition need not be entertained for the reasons that inquiry is initiated only in respect of application tendered by the local M.L.A. to the Minister for Co-operation. Inquiry under Section 88 of the Maharashtra Co-operative Societies Act, 1960 (for short, the Act) can be initiated on the basis of an audit report under Section 81 or inquiry under Section 83 or inspection under Section 84 of the Act. In the instant matter, since it has not been reported that the basis of inquiry is an audit report under Section 81 or inquiry under Section 83 or inspection under Section 84 of the Act, the inquiry which is set in motion, cannot be construed to be an inquiry under Section 88 of the Act. The apprehension expressed by the petitioner is ill-founded.

2) In view of above, writ petition stands dismissed.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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