

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.10181 OF 2013

Dhanraj Yadav Patil & others

Petitioners

Versus

The State of Maharashtra & others

Respondents

Mr.Shrikant S. Patil, advocate for petitioners.

Mr.S.G.Nandedkar, A.G.P. For Respondents No.1, 2 & 5 to 7.

Mr.V.D.Hon, advocate for Respondent No.4.

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

DATE : 21st July, 2015

PER COURT:

1 By way of instant petition, the petitioners, who are members of primary societies affiliated to Respondent No.4-Sangh, are objecting to the recruitment drive for filling up reserved vacancies in Jalgaon Zilla Sahakari Dudh Utpadak Sangh Limited, Jalgaon.

2 There is no dispute that the backlog vacancies are required to be filled in. A direction for ascertaining backlog was issued by this Court while dealing with Writ Petition No.5428 of 2006. Accordingly, the backlog was determined by the Divisional Commissioner, Nasik. The State Government has also issued direction in respect of filling up the vacancies of backward class in the year 2010. It does appear that in spite of issuance of directions, the vacancies for backward class were not filled in and the directives issued by the State Government were not obeyed. The draft advertisement was sent for approval of Respondent No.4-Sangh by the Divisional Deputy Registrar, Co-operative Societies (Dairy), Nasik Division, Nasik. The draft advertisement sent to Respondent-Sangh has received approval from Respondent No.4-Sangh

and thereafter the Divisional Deputy Registrar, Co-operative Societies, Nasik, proceeded to issue the advertisement.

3 In the affidavit-in-reply presented on behalf of Divisional Deputy Registrar, it is averred that that Respondent No.4-Sangh has not adhered to the directions issued from time to time in respect of filling up vacancies for backward class and as such, as per the policy prescribed, those are required to be filled in. It is also contended that financial condition of Respondent No.4-Sangh was precarious and as such, management of Respondent No.4-Sangh has been taken over since 1997 onwards by Respondent No.3-Administrative Board, National Dairy Development Board under an agreement executed in that behalf. Neither the National Dairy Development Board nor the concerned society has raised any objection before presentation of instant petition.

4 In our view, challenged raised by Primary Co-operative societies in respect of recruitment process concerning federal society i.e. Zilla Dudh Utpadak Sangh need not be entertained. The National Dairy Development Board, who is looking after affairs of Respondent-Sangh under the agreement executed in 1997, has also not raised any such objection. Writ Petition is devoid of substance.

5 Writ Petition stands dismissed. Interim relief stands vacated. Pending Civil Applications do not survive and stand disposed of.

P.R.BORA
JUDGE

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R.M.BORDE
JUDGE