

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**APPELLATE SIDE CIVIL JURISDICTION****WRIT PETITION NO. 3050 OF 2007**

Uttam Pandharinath Jadhav & Ors.

....Petitioners.

Vs.

The State of Maharashtra & Ors.

....Respondents.

WITH**WRIT PETITION NO. 2827 OF 2007**

Chandrakant B. Raje & Anr.

....Petitioners.

Vs.

Kadva Sahakari Sakhar Karkhana Ltd.& Ors.

....Respondents.

Mr. M.G. Patil i/by Mr. N.N. Bhadrashete for the Petitioners in Writ Petition No. 3050 of 2007.

None for the Petitioner in Writ Petition No. 2827 of 2007.

Mr. A.R. Metkari, AGP for Respondent Nos. 1, 19 and 20 in WP No. 3050 of 2007 and for Respondent Nos. 3 to 6 in WP No. 2827 of 2007.

CORAM:- ANOOP V. MOHTA, J.**DATE :- 10 FEBRUARY 2015.****P.C:-**

Both the matters are called out from the final hearing board.

Heard finally, by consent of the parties.

2 I am inclined to dispose of both these Writ Petitions for the fact that the challenge was raised to the postponement of the election of the Managing Committee for six months by exercising powers

under Section 73-IB of the Maharashtra Co-operative Societies Act. This Court after hearing both the parties on 5 January 2007, considering the issue so raised at the relevant time, granted ad-interim relief in terms of prayer clause (d). The tenure of the Managing Committee of the society was also over.

3 Considering the span of time and fact that the matters are listed today after 8 years, there is no question in keeping these Petitions pending. By this time the Society and/or the concerned officers must have acted in accordance with law, referring to the election of the Society in question. It is made clear that I am not deciding the issue so raised in these Petitions, in view of the above factual background. So far as the issue of law is concerned, the same is kept open. Both the Writ Petitions need not be kept pending for further consideration as the same must have been rendered infructuous, in view of the above observations.

4 By keeping all points open, both these Petitions are disposed of, with liberty.

5 Rule disposed of accordingly. No costs.

(ANOOP V. MOHTA, J.)