

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4050 OF 2015

Sau. Vaishali Balasaheb Nagawade & ors. ... Petitioners.
Versus
State of Maharashtra & ors. ... Respondents.

WITH
WRIT PETITION NO. 4054 OF 2015

Ramkrushna M. Bangar & ors. ... Petitioners.
Versus
State of Maharashtra & ors. ... Respondents.

Mr. R.B. Raghuwanshi, Sr. Counsel a/w. Mr. J.G. Reddy, advocate for
petitioners.

Mr. S.S. Bhise, AGP for respondent Nos. 1 and 2.

CORAM : B.R. GAVAI & A.S. GADKARI, JJ
DATE : APRIL 23, 2015

P.C.:

1 Rule. Rule made returnable forthwith. Heard by consent of the
parties.

2 The Petitioners have approached this Court contending that in the proceedings initiated against them under section 78 of the Maharashtra Cooperative Societies Act, there is every possibility that final order which would be passed, would be adverse to their interest. The Petitioners therefore, pray that in the event, final order which is likely to be passed and if is adverse to their interest, the same may not be given effect for a period of 15 days from service of the said order.

3 The Petitions are vehemently opposed by the learned AGP. In the affidavit in reply which is filed by the Joint Registrar, Co-op. Societies (Dairy), it is submitted that this petitions are filed only on the apprehension and that the apprehension is totally mis-founded. It is submitted that the authority is proceeding with the proceedings in accordance with law and in consonance with the principles of natural justice.

4 We find that limited relief sought by the petitioner is innocuous
in nature.

5 In that view of the matter, the petitions are disposed of with
direction to the respondents that, in the event, an order adverse to the
interest of the petitioners is passed, the same shall not be given effect
for a period of 15 days from service of the said order upon the
petitioners.

(A.S. GADKARI, J)

(B.R.GAVAI,J)