

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION St. NO.15243 OF 2015**

Ashok Java & Ors.

..Petitioners

Vs.

State of Maharashtra & Ors.

..Respondents

**Mr. Pradeep Samant i/b Pradeep Samant & Associates for the Petitioners
Mrs. Vaishali Nimbalkar AGP for State**

CORAM : R. M. SAVANT, J.

DATE : 22nd June, 2015

P.C.

1 The Writ Jurisdiction of this Court is invoked against the order dated 16-5-2015 passed by the Revisionary Authority i.e. the Hon'ble Minister for Co-operation and Textiles, Government of Maharashtra, by which order the Revision Application filed by the Petitioners against the order dated 9- 12-2014 passed by the Divisional Joint Registrar, came to be dismissed.

2 The said proceedings have arisen on account of the order under Section 78 of the Maharashtra Co-operative Societies Act passed against the Petitioners who were the Managing Committee Members of the Petitioner No.3 society, who have been superseded. The term of the said Managing Committee has come to an end some time in the year 2014 and therefore elections would be required to be held to the Managing Committee of the Petitioner No.3 society.

3 The Learned Counsel appearing for the Petitioner states that the Petitioners would be satisfied if an Administrator is appointed and is directed to take formal charge of the Petitioner No.3 society so as to hold elections to the Managing Committee. The Petition was accordingly adjourned on the last occasion i.e. 12-6-2015 for the said purpose. The Learned AGP Mrs. Nimbalkar on instructions states that the Respondent No.5 would be the Administrator of the Petitioner No.3 society to facilitate the holding of elections. The Respondent No.5 is accordingly directed to take steps to hold elections to the Petitioner No.3 society. In terms of Section 166 of the said Act, the present Managing Committee is entitled to continue till the next Managing Committee takes charge. Hence the present Managing Committee would continue but would only manage the day to day affairs of the society and would not take any policy decisions pending the elections. The Respondent No.5 is directed to publish the election programme at the earliest. With the aforesaid directions, the Writ Petition is disposed of.

[R.M.SAVANT, J]