

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.575 OF 2016

Sudhakar S/o Shankar Kothawade and others Vs. The State of Maharashtra and others.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.A.N.Nagargoje, advocate for the Petitioners.
Mr.P.S.Patil, A.G.P for the State.

CORAM : S.V.GANGAPURWALA, J.
Date : 21.03.2016.

PER COURT :

1. Heard.
2. Mr.Nagargoje, learned counsel submits that Revision filed by the petitioners against the proceedings U/s 88 of the Maharashtra Cooperative Societies Act, is pending. Even stay application is filed. The authority is not deciding the stay petition, however, disqualification proceedings are initiated by the Respondents. On one hand, the authority is not deciding the stay application and on another hand, disqualification proceedings are being proceeded further. The same ought to have been stayed.
3. Mr.Patil, learned A.G.P submits that the disqualification

proceedings has to proceed on its own merits. There is no need to stay disqualification proceedings.

4. It would not be appropriate to stay the disqualification proceedings. The Divisional Authority can decide the stay application of the petitioner.

5. Considering the above, I pass the following order :

- a) The disqualification proceedings may proceed further, however, final order may not be passed till the stay application filed by the present petitioners in the pending Revision is decided by the Respondent No.1. The Respondent No.1 shall decide the stay application filed by the petitioners expeditiously, preferably within three (3) months.
- b) The authority in disqualification proceedings may pass final order in tune with the judgment and order passed on stay application and/or Revision of the petitioners.
- c) The Writ Petition is disposed of. No costs.

(S . V . GANGAPURWALA, J .)

Dt.21.03.2016.
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