

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1647 OF 2009

THE MULA SAHAKARI SAKHAR KARKHANA LTD
VERSUS
THE DIRECTOR OF SUGAR AND ORS

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Advocate for Petitioner : Mr. H D Deshmukh
AGP for Respondents: Mr. B.V. Virdhe.

CORAM : S.V. GANGAPURWALA
& K.K. SONAWANE, JJ.
DATE : 5TH JULY , 2016.

PER COURT:

1] Mr. Deshmukh, learned counsel submits that the petitioner Karkhana is a cooperative society registered under the provisions of the Maharashtra Cooperative Societies Act, which is not financed by the State Government, nor is controlled by the Government. As such, same would not come within the ambit and purview of the RTI Act. We have heard the learned AGP also.

2] The issue in the present matter is no longer res-integra in view of the judgment of the Apex Court in the matter of *Thallaplam Service Cooperative Bank Ltd. Vs. State of Kearala and others reported in (2013) 16 SCC 82.*

3] In the present matter also, there is nothing on record to show that the petitioner Karkhana is financed by the State or is otherwise substantially controlled by the Government. The case of the petitioner would be covered by the judgment of the Apex Court in the matter of *Thallappalam supra.*

4] In the light of that, Rule is made absolute in terms of prayer clause (D). Writ petition is accordingly disposed of. No costs.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-