

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Writ Petition No. 2769 of 2007

District : Ahmednagar

The Mula Pravara Electric Co-operative
Societies Limited, Shrirampur,
Taluka : Shrirampur,
District : Ahmednagar,
Through its Managing Director.

.. Petitioner.

versus

1. The State of Maharashtra,
Through the Secretary,
Co-operation Department,
Mantralaya, Mumbai - 32.
2. The Divisional Commissioner,
Nashik Division, Nashik.
3. The District Deputy Registrar,
Co-operative Societies,
Ahmednagar,
District : Ahmednagar.
4. The Assistant Commissioner,
Backward Class Cell,
Nashik Division, Nashik.

.. Respondents.

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Mr. V.D. Hon, Senior Advocate, for the petitioner.

*Ms. S.S. Raut, Asst. Government Pleader, for
respondent nos.1 to 4.*

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**CORAM : S.V. GANGAPURWALA &
A.M. BADAR, JJ.**

DATE : 17TH FEBRUARY 2016

COURT'S ORDER *(Per S.V. Gangapurwala, J.) :*

1. According to Mr. Hon, the learned Senior Counsel for the petitioner, the petitioner is a Co-operative Society. It is not financed by the State. As such, no question arises of filling in the backlog. The learned Senior Counsel further submits that since 4 - 5 years, operation of the petitioner - Society has come to a standstill. The Maharashtra State Electricity Distribution Company Ltd. has taken over the business of the petitioner - Society as per the orders of the Maharashtra State Electricity Regulatory Authority and the license of the petitioner - Society is not renewed. As such, for more than 4 - 5 years, no question arises of recruiting any new employees.
2. The learned Asst. Government Pleader for the respondents submits that the District Deputy Registrar of Cooperative Societies has rightly passed the order. The Government has supervisory control over the working of the petitioner - Society and is also being given monetary concessions.
3. The issue raised in the present petition has become redundant in view of the fact that the license of the petitioner - Society itself has been withdrawn i.e. not renewed and the petitioner - Society is not functioning. As such, it would be futile to issue directions with regard to the filling in backlog also.

4. As license of the petitioner - Society is not renewed for more than 4 - 5 years and the activities have stopped, we have not considered the issue as to whether the petitioner - Society under law is required to fill in the backlog.

5. In the light of that, rule is made absolute in terms of interim orders. The Writ Petition is accordingly disposed of. No costs.

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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