

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4130 OF 2016

Dhairyashil Anandrao Patil and ors. : Petitioners.

Versus

State of Maharashtra and ors. : Respondents.

**Mr. Shailesh Shah, Senior Advocate, i/by Ms. Babita P Pandey for the
Petitioner.**

Mr. S D Rayrikar, AGP for the Respondent Nos.1 to 3.

Mr. N S Venegaonkar for the Respondent No.4.

Mr. P S Bhavake for the Respondent No.5.

CORAM : R. M. SAVANT, J.

DATE : 11th April 2016

P.C.

1 The order impugned in the above Petition is one dated 22/03/2016 passed by the Regional Director, Sugar and Divisional Joint Registrar, Co-operative Societies, Kolhapur. The said order has been passed under Section 77A of the Maharashtra Co-operative Societies Act.

2 It is an undisputed position that the term of the Petitioners as Managing Committee Members has already been over in June 2015. It seems that some dispute as regards membership of the Respondent No.4 is pending in respect of which an enquiry is ongoing.

3 The impugned order has been passed by the Regional Director, Sugar and Divisional Joint Registrar for the reasons mentioned in the said

order amongst which is the reason that admittedly the term of the Petitioners as Managing Committee Members is over in June 2015. Against the order passed under Section 77A of the said Act, a remedy by way of an Appeal under Section 152 of the said Act, before the State Government is available. By relegating the Petitioner to the said remedy, the above Petition is disposed of. Needless to state that the contentions of the parties are kept open for being urged before the Appellate Authority.

[R.M.SAVANT, J]