

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 2678 OF 2016

Vijay s/o Dewaji Ambade

-vs-

The District Deputy Registrar, Cooperative Societies, Nagpur and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Uday Dastane, counsel for the petitioner.

Mr. N. R. Rode, AGP for the respondent Nos.1 and 2.

Mr. A. H. Patil, counsel for the respondent No.3.

CORAM : SMT. VASANTI A NAIK &
MRS. SWAPNA JOSHI, JJ.

DATE : 03.08.2016.

By this writ petition, the petitioner seeks a direction against the respondent Nos.1 and 2 to appoint an Administrator in place of the present Managing Committee of the respondent No.3-Sanstha and thereafter to hold the elections for constituting the duly elected Managing Committee, in accordance with law.

Shri N. R. Rode, the learned Assistant Government Pleader for the respondent Nos.1 and 2, has tendered an affidavit-in-reply, filed on behalf of the respondent Nos.1 and 2 in the Court, today. The same is accepted on record. It is stated that the elections to the respondent No.3-Sanstha are declared and the voting is scheduled on 25.09.2016. It is stated that since the elections would be concluded within six to eight weeks, it would not be necessary to consider the prayer made on behalf of the petitioner for appointment of the Administrator.

Since the election programme is already declared and the elections are scheduled on 25.09.2016, a part of the grievance of the petitioner would not survive. It is rightly stated on behalf of the respondent Nos.1 and 2 that since the elections would be concluded within six to eight weeks, it would not be in the interest of justice to decide the issue in regard to the appointment of the Administrator. The decision on the question of appointment of the Administrator

would take some time and the same could be decided after the pleadings are complete. The question of appointment of Administrator may not arise if a new body is elected.

In view of the aforesaid, we dispose of the writ petition. The petitioners are free to take appropriate steps in respect of the prayer for appointment of the Administrator, if by chance, the elections are not conducted as per the schedule. Order accordingly. No costs.

JUDGE

JUDGE

KHUNTE

C E R T I F I C A T E

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : G.S.Khunte,
P.A.to Hon'ble Judge

Uploaded on : 05/08/2016