

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.20557 OF 2010

ORDER:

The petitioner challenges surcharge proceedings under Section 60 of the Andhra Pradesh Co-operative Societies Act, 1964 (for short 'the Act') in Rc.No.1518/2009-B, dated 22-07-2010 in the instant writ petition.

Sri G.V.Shivaji, learned counsel appearing petitioner tried to persuade this Court on violation of principles of natural justice and the bias with which the impugned surcharge order was passed by respondent No.4.

It is not in dispute that the surcharge proceeding under Section 60 of the Act is appealable under Section 76 of the Act.

I am not expressing any view on the merits of the contentions urged by petitioner, but I am of the view that even assuming these submissions are available to challenge the surcharge proceedings, they can be more effectively and properly considered by the Co-operative Tribunal under Section 76 of the Act.

The request to go into merits is rejected and the writ petition is dismissed by granting liberty to petitioner to avail the remedy of appeal before Co-operative Tribunal within six weeks from the date of receipt of a copy of this order, if the subject surcharge issue is not in any other way settled between the parties. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V. BHATT, J

Date: 30.03.2016

Prv

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