

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

WRIT PETITION NO.6657 OF 2008

Shri S.T. Chaudhary ... PETITIONER

VERSUS

Director of Sugar & others ... RESPONDENTS

.....
Shri R.N. Jain, Advocate holding for
Shri H.D. Deshmukh, Advocate for petitioner
Mrs. V.S. Choudhary, A.G.P. for R.No.1 and 2
.....

CORAM: RAVINDRA V. GHUGE AND
 SUNIL K. KOTWAL, JJ.

DATED : 29th NOVEMBER, 2017.

ORAL ORDER :

1. This petition was to be heard along with Writ Petition No.1647/2009. Identical issues were involved in both these petitions, with regard to, whether a private co-operative society, which is not financed by the State Government, or State instrumentality, could be brought within the purview of the Right to Information Act, 2005.

2. We are informed that, Writ Petition No.1647/2009 has been disposed of by this Court, by making Rule absolute in terms of prayer clause (D). It is concluded that, the Right to Information Act will not apply to private co-operative societies.

3. Considering the above, since the petitioner in this petition is the same petitioner in Writ Petition No.1647/2009, this petition is allowed in terms of prayer clause (B) which reads as under :-

“(B) Quash and set aside the impugned order dated 8.10.2008 in Appeal No.07/2008, passed by the Regional Joint Director (Sugar) Ahmednagar Division, Ahmednagar only to the extent of finding that the provisions of Right to Information Act, 2005 are applicable to the petitioner Mula Sahakari Sakhar Karkhan Limited, Sonai, and for that purpose issue necessary orders.”

4. Rule is made absolute accordingly.

(SUNIL K. KOTWAL)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

fmp/