

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

WRIT PETITION NO.6344 OF 2017

Diliprao Shankarrao Thete & Ors.	..Petitioners
Vs.	
The District Deputy Registrar Co-operative Societies & Ors.	..Respondents

**WITH
WRIT PETITION NO.8643 OF 2017**

Shivajirao Pandurang Chumbale & Ors.	..Petitioners
Vs.	
The District Deputy Registrar Co-operative Societies & Ors.	..Respondents

Mr. Kishor S. Patil for the Petitioners in Writ Petition No.6344/2017.
Mr. Aarti Bhide for the Petitioners in Writ Petition No.8643/2017.
Mr. C.P.Yadav, AGP for the Respondent No.1 .
Mr. Pratik B. Rahade for the Respondent No.3.

**CORAM: B. R. GAVAI AND
RIYAZ I. CHAGLA, JJ.**

DATE: 28th JULY 2017

P.C.:

. Rule. Rule is made returnable forthwith. Learned AGP waives service of notice for Respondent No.1 and learned counsel waives service of notice for Respondent No.3. By consent of parties, petition is taken up for final hearing.

2. The Petitioner in the present petition is challenging the show cause notice dated 3/6/2017 for superseding the Board of Directors of Respondent No.3.

3. Mr. Patil, learned counsel for the Petitioners submits that the show cause notice dated 3/6/2017 is because of political rivalry with the Petitioners and therefore, the proceedings are liable to be quashed.

4. Since the issue arises only out of issuance of show cause notice, we are not inclined to deal with the correctness of the said proceedings.

5. We find that the interest of justice would be served if the Petitioners are directed to face the proceedings before the Respondent No.1 and some protection is granted to the Petitioners, in the event any order passed in the proceedings is adverse to the interest of the Petitioners.

6. It is therefore directed that the Petitioners shall participate in the proceedings before the Respondent No.1. However, in the event an order passed in the proceedings is adverse to the interest of the Petitioners, the same shall not be given effect for a period of 15 days from the date of receipt of the said order by the Petitioners.

7. Rule made absolute in terms of prayer clause (b) with no order as to costs.

(RIYAZ I. CHAGLA, J.)

(B. R. GAVAI, J.)