

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9622 OF 2017

Dastgir Ramzanso Banadar & Ors. ...

Petitioners

Vs.

The State of Maharashtra & Ors. ...

Respondents

Mr. P.D.Dalvi, for the Petitioners.

Ms. Nisha Mehra, AGP, for the State.

**CORAM: RANJIT MORE &
SMT.SADHANA S.JADHAV, JJ.
DATE : 28th AUGUST, 2017.**

P.C.

Heard the learned counsel appearing for the petitioners and the learned AGP for respondent Nos. 1 and 2.

2. By this petition, the petitioners challenge the show cause notice dated 5.7.2017 issued by respondent No. 2 under Section 78 of the Maharashtra Co-operative Societies Act. The petitioners have expressed apprehension that if any adverse order is passed by the concerned Authority, sufficient time may not be available to the petitioners to challenge the said order. The learned counsel for the petitioners submits that till today, final order is not passed.

3. In the light of the above, we deem it appropriate to dispose of the Petition by passing the following order :-

ORDER

(i) The Respondent No.2 shall proceed to decide the impugned show cause notice independently on its own merits and pass appropriate orders in accordance with law.

(ii) The Respondent No.2 shall pass orders after hearing the concerned parties and communicate the same to the petitioners.

(iii) If the order passed in the show cause notice is adverse to the interest of the petitioners, the same shall not be implemented for a period of two weeks from the date on which the same is communicated to the petitioners.

4. We make it clear that we have not gone into the merits of the matter. All contentions of the respective parties are kept open.

[SMT. SADHANA S.JADHAV, J.]

[RANJIT MORE,J)