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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION No.11090 of 2014

Dr. Lalchandra Badripasad Tiwari ..Petitioner.

Vs

The State of Maharashtra
through Its Secretary and Ors. ..Respondents.

Ms. Sana Bundealay i/by Mr Ashish Mehta for the petitioner.
Ms. R.A. Salunkhe, A.G.P. for the State.

**CORAM: NARESH H. PATIL &
SMT. BHARATI H.DANGRE, JJ.
DATE : 21st July, 2017.**

P.C.

1) The petitioner is seeking the reliefs in clauses (a) to (c)
in this petition which read as under :-

“(a) That this Hon'ble Court be pleased to uphold the circular issued by Respondent No.3 of dated 30.12.2011 and letter issued by respondent No.4 dated 24.2.2014 in the larger interest of the society and its members and for smooth functioning of corruption free cooperative department and make the provisions of RTI Act alive in cooperative department.

(b) That this Hon'ble Court be pleased to direct the Respondent No.4 not to act beyond his power and capacity in the affairs of Cooperative Department and overrule the existing rules of laws.

(c) That this Hon'ble Court be pleased to direct the Respondent No.6 to follow the instruction of Respondent No. 2 and 3 and not to act bias for his

personal gain and benefit and rather than acting bias should discharge his duties in the interest of the society at large and hence the nation. It should be further directed to respondent No.6 to implement the circular of Respondent No.3 of dated 30.12.2011 under the supervision of this Hon'ble Court.”

2) So far as the prayer (a) is concerned, the Circular issued by the Government of Maharashtra (Exh.K, annexed to the petition) dated 24th February, 2014 states that the order dated 25th July, 2013 has been cancelled and order passed on 30th December, 2011 has been restored.

3) As regards the prayer clause (b) and (c) made by the petitioner, we observe that as and when the cause of action arises, the petitioner may approach the concerned authority and may place material before it to take appropriate decision. The writ petition stands disposed of accordingly.

(SMT. BHARATI H. DANGRE, J.)

(NARESH H. PATIL, J.)