

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

WRIT PETITION STAMP NO.29095 OF 2017

Sahajirao Mudhojirao Deshmukh and anr. : Petitioners.
Versus
The State of Maharashtra and ors. : Respondents.

Mr. Abhijit Kulkarni i/by DD & Abhijit Associates for the Petitioners.
Mrs. R A Salunkhe AGP for the Respondent/State.

**CORAM : R. M. SAVANT &
SARANG V KOTWAL, JJ.**
DATE : 13th October 2017

P.C.

1 The notice dated 06/10/2017 issued by the Regional Director of Sugar, Pune Division, Pune is taken exception to by way of the above Petition. The Petitioners herein claim to be the members of the Respondent No.8-Society. It seems that on account of various factors which inter-alia include losses which the Society had incurred, the Board of Directors of the Respondent No.8 Society was superseded and an Administrator was appointed. Thereafter by the impugned notice issued under Section 102(1) read with Section 103 of the Maharashtra Co-operative Societies Act. The concerned parties are to show cause as to why the impugned notice should not be confirmed. The operative part of the notice indicates that the objections to the said show cause notice have to be taken latest by 07/11/2017 2.30 p.m.. As indicated above, the above Petition has been filed challenging the said show cause notice. On behalf of the Petitioners it is sought to be contended that

even prior to the said show cause notice being confirmed, the liquidator has been asked to take charge of the Society. It is therefore the submission of the learned counsel for the Petitioners that there seems to be an unseemly haste in appointment of the liquidator and directing the liquidator to take charge.

2 Since the challenge in the above Petition is to the show cause notice and would be finalized only after the parties are given an opportunity to show cause within the time stipulated in the show cause notice, it is not necessary to interdict in the said process in our writ jurisdiction. The above Writ Petition is accordingly dismissed. However, it is made clear that though the order has not been interfered with, the liquidator may not take further steps unless the show cause notice is confirmed. Needless to state that the contentions of the parties are kept open for being urged before the concerned authority.

[SARANG V KOTWAL, J]

[R.M.SAVANT, J]