

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

WRIT PETITION NO.3610 OF 2016

Laxman Baburao Madival	.. Petitioner
Vs.	
The State of Maharashtra & Ors.	.. Respondents

Mr.J.P. Kharge for the petitioner.
Ms.G.R. Golatkar, AGP for the respondent nos.1 to 4.
Mr.Umesh R.Mankapure for the respondent no.5.

CORAM : R.D. DHANUKA, J.
DATE : 7th June 2018

P.C.:

. By this petition filed under Article 227 of the Constitution of India, the petitioner has impugned the order dated 10th November 2008 passed by the Assistant Registrar, Co-operative Societies and order dated 20th June 2009 passed by the Joint Registrar Co-operative Societies and also the order passed by the learned Minister, Co-operation dismissing the further revision application filed by the petitioner.

2. The petitioner had made various complaints against the office bearers of the respondent no.5 society to various authorities. Based on those complaints, investigation was carried out by the authorities and reports were submitted to the higher authorities. In those reports, it was categorically found that the allegations of serious nature of corruption made by the petitioner were baseless. Based on those reports having found that those allegations made by the petitioner as false and baseless and defavouring the society, the society initiated the

action against the petitioner for expulsion. Resolution was passed by the Managing committee and a General Body Meeting for expulsion of the petitioner from the society also came to be held. The petitioner was given a notice of expulsion by the society in the General Body Meeting held on 31st July 2008.

3. After hearing the petitioner and considering his explanation in the General Body Meeting, the society passed a resolution to expel the petitioner from the society. The resolution of expulsion of the petitioner was forwarded to the Registrar for its approval. The learned Assistant Registrar was pleased to approve the said proposal of the society as contemplated under Section 35(1) of the Maharashtra Co-operative Societies Act, 1960.

4. Being aggrieved by the said order passed by the Assistant Registrar, the petitioner thereafter filed proceedings before the Divisional Joint Registrar and also before the learned Minister, Co-operation. Both the authorities considered the entire issue in great detail and passed the orders upholding the action of expulsion of the society.

5. Findings recorded by none of the authorities against the petitioner being not perverse cannot be interfered with by this Court under Article 227 of the Constitution of India. The complaints made by the petitioner were found baseless and irrelevant. In my view, the petition is devoid of merits and is accordingly dismissed. No order as to costs.

R.D. DHANUKA, J.