

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

922 WRIT PETITION NO.3450 OF 2019

THE DHULE AND NANDURBAR DISTRICT CENTRAL CO
OPERATIVEBANK LIMITED THROUGH CHIEF
VERSUS
THE DIVISIONAL JOINT REGISTRAR CO OPERATIVE
SOCIETIESNASHIK AND ANOTHER

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Advocate for Petitioners : Mr. V.D. Hon, Senior Counsel h/f
Mr. Hon Ashwin V.
AGP for Respondents : Mr. K.S. Patil

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**CORAM : P.R. BORA, J.
DATED : 12th March, 2019.**

PER COURT:-

. Heard Shri V.D. Hon, the learned senior counsel
appearing for the petitioner.

2. The learned senior counsel submitted that some
changes were to be effected in the bylaws of the petitioner-
bank. The changes in the said bylaws were approved by the
general body of the petitioner-bank in its meeting held on
22.09.2018 vide Resolution No.6, and were forwarded for
approval of the Divisional Joint Registrar, Nashik, with all
necessary documents. The learned senior counsel submitted
that without giving an opportunity of hearing to the
petitioner, the learned Divisional Joint Registrar has rejected

the amendments so proposed by passing a cryptic order. The learned senior counsel submitted that had the opportunity been given to the petitioner, the reasons behind making such amendment could have been better explained though they are explicit in the amendment itself. The learned counsel in the circumstances prayed for setting aside the aforesaid order and to direct the Divisional Joint Registrar to decide the proposal afresh by giving due opportunity of hearing to the petitioner.

3. The learned AGP was fair enough in submitting that the Divisional Joint Registrar must have given hearing to the petitioner-bank before passing the impugned order. In the circumstances, the present writ petition can be disposed of with the following order which would meet the ends of justice. Hence, the following order:

ORDER

- i) The order passed by the Divisional Joint Registrar Co-operative Societies Nashik on 11.12.2018, impugned in the present petition is set aside.
- ii) The matter is remitted to the Divisional Joint Registrar Co-operative Societies Nashik, to decide it afresh by giving due opportunity of hearing to the petitioner-bank.

(3)

- iii) The petitioner-bank shall appear before the said authority on 28.03.2019.
- iv) The Divisional Joint Registrar shall hear and decide the application as expeditiously as possible and preferably within the period of three months from the date of this order.
- v) The writ petition stands allowed in the aforesaid terms.

(P.R. BORA, J.)

Mujaheed//