

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2769 of 2018**

Vaduj Vikas Seva Society Ltd.Petitioner
versus
The State of Maharashtra and ors.Respondents

with
WRIT PETITION NO. 2779 of 2018

Nidhal Vikas Seva Society Ltd.Petitioner
versus
The State of Maharashtra and ors.Respondents

with
WRIT PETITION NO. 2401 of 2018

Mandave Vividh Karyakari SahakariPetitioner
versus
The State of Maharashtra and ors.Respondents

Mr. Milind Deshmukh, advocate for the petitioners.
Ms. R. M. Shinde, AGP for the State in writ petition No.2769 of 2018
Mrs. M. P. Thakur, AGP for the State in writ petition Nos.2779 and 2401
of 2018.

**CORAM : RANJIT MORE &
N. J. JAMADAR, JJ.**

DATE : 15th OCTOBER, 2019.

P. C. :

Heard learned counsel appearing for the respective parties.

2. Writ Petition No. 2387 of 2019 and connected matters challenged the communication dated 21st November, 2017, by Sub-

Divisional Officer, Man-Khatav, Taluka Dahiwadi, District Satara to the Collector (Supply Cell), Satara. This communication contained an annexure which is a list of various co-operative societies. The petitioner in writ petition No.2387 of 2019 and connected matters were named in the said list. The aforesaid communication recorded the irregularities that have been detected in conducting camps by these societies and for initiating appropriate action.

3. Learned AGP, in the said petitions, filed an affidavit-in-reply and submitted that the list in question is not meant to be a blacklist. It was only prepared pursuant to the Public Interest Litigation pending before the High Court and was for contemplation of further action against erring societies. The list, itself, therefore, does not give rise to any cause of action. She further stated that where ever found, necessary FIRs have been lodged against the persons responsible for functioning of the societies.

4. On the basis of affidavit filed by AGP, the Division Bench of this Court, made following observations in paragraphs 5 and 6 in its order dated 3rd July, 2019, which reads as under :

“5. From the record, therefore, it emerges that the list in question is merely an internal document, not in any manner prejudicial to the petitioner society. It is not

meant to be a blacklist nor the list itself envisages any civil or penal action against the society.

6. Needless to state, in case of those societies, where FIR have been lodged, the accused would have full opportunity to defend themselves. No departmental action obviously could be taken without following the principles of natural justice.”

And the above petitions came to be disposed off.

5. The issue involved in the present petitions and those writ petitions is one and the same. The petitioners in the instant petitions are also named in the list annexed to the communication of the Sub-Divisional Officer, Man-Khatav, Taluka Dahiwadi, District Satara, dated 21st November, 2017. These petitions cannot be disposed of as they were not shown on board. Learned counsel for the petitioners requested that these petitions also may be disposed of in terms of the order dated 3rd July, 2019, passed by the Division Bench of this Court in writ petition No.2387 of 2018 and connected matters.

6. We, accordingly, dispose of the above petitions by making the same observations as made in paragraphs 5 and 6 of the order dated

21st November, 2017 in writ petition No. 2387 of 2018 which are reproduced hereinabove. The assurance which is referred above shall govern the instant petitions as well.

7. The writ petitions are accordingly disposed of.

8. The interim applications, if any, will not survive for consideration and the same is, accordingly, disposed of.

[N. J. JAMADAR, J.]

[RANJIT MORE, J.]