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

PUBLIC INTEREST LITIGATION NO. 10 OF 2018

Dashrath Narayan Gop

... Petitioner

V/s.

The Manager, MIDC, Akkalkot Road,
Solapur & Ors.

... Respondents.

Mr. A.G. Damle, Senior Advocate i/b. I. M. Khairdi for the
Petitioner.

Mr. M.M. Pabale, AGP for the Respondents 4 to 10.

***CORAM : PRADEEP NANDRAJOG, C.J. &
N.M. JAMDAR, J.***

DATE : 30 APRIL 2019.

P.C. :-

Record shows that till date notice has not been issued in the Petition and that on 1 February 2018, learned Additional Government Pleader took time to obtain instructions. No instructions are reported by the learned Additional Government Pleader. Be that as it may, having perused the averments made in the Writ Petition recording that the facts which we are noting are

sans an expression of our opinion on the merits of the issue, the Writ Petition can be disposed of issuing suitable directions to the Commissioner for Co-operation and the Registrar, Co-operative Societies, Maharashtra.

2. The case of the Petitioner is that Respondent No.13 is a Co-operative Society and for the benefit of its members applied for and was allotted around 14 acres of land bearing Plot No. D-45/1, 45/2, 45/3, Maharashtra Industrial Development Corporation (MIDC), Akkalkot, Solapur. The allotment was by MIDC. The condition of the allotment was that Respondent No.13 would construct sheds and ensure textile manufacturing to commence with atleast 500 looms working. It is pleaded that the Petitioner learnt that one Prakash Bomdyal claimed to be the Chairperson of Respondent No.13. He started selling the allotted land in parcels and started investing the proceeds thereof in the names of his relatives. It is pleaded that on 21.05.2015 the Regional Deputy Director, Vastrodyog, Solapur appointed Additional Special Auditor to conduct an audit of Respondent No.13 and as per the audit report, illegalities were noted.

3. In a nut shell, the case of the Petitioner is that those who are managing Respondent No.13 are selling the land for private gain, which was allotted to said Respondent to set up a textile industry in the area to give employment to the people.

4. In our opinion, keeping in view the allegations in the Petition, the Commissioner for Co-operation and Registrar, Co-operative Societies needs to be directed to treat the Writ Petition as a representation to him and to call for the records of the allotment made to Respondent No.13 by the MIDC. Since Respondent No.13 purports to be a Co-operative Society of handloom weavers, the relevant record should be looked into and if any irregularities are found, notice be issued to the management of the Co-operative Society and orders passed. Respondent No.5 shall ensure that the land allotted to the Co-operative Society is not transferred to individuals by carving out plots. Compliance would be made within six months from today.

N.M. JAMDAR, J.

CHIEF JUSTICE