

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.2324 OF 2015

Dilip J. Choudhary

.... Petitioner

versus

State of Maharashtra & Ors.

... Respondents

.....

- Mr.Dipesh Siroya, Advocate for Petitioner.
- None present for the Respondent.

**CORAM : INDRAJIT MAHANTY &
SARANG V. KOTWAL, JJ.**

DATE : 04th JANUARY, 2019.

P.C. :

1. Heard learned Counsel Mr.Dipesh Siroya for Petitioner.
2. This is a Petition filed by the Petitioner alleging misuse of powers by the Administrator/Authorized Officer appointed by the Deputy Registrar/Respondent No.3, u/s 77A of Maharashtra Co-operative Societies Act, 1960 (for short 'the said Act')
3. Although various contentions were advanced by the learned Counsel for the Petitioner, in particular, drawn our attention to sub-section 3 of 77A of the said Act and asserted

that an Administrator or Authorized Officer's term could not be extended beyond six months itself. From giving our considered view of such contention since it is also brought to our notice that during the pendency of the Application, Administrator/Authorized Officer had handed over management of the Co-operative Societies to the Board of Management. It is further submitted at par by the learned Counsel for the Petitioner that the present Petitioner has also sought to challenge the constitution of new Managing Committee in a proceeding under the Co-operative Societies Act and same remained pending as on date.

4. In view of the aforesaid fact, the main reliefs sought for in the present Writ Petition have been affected and have become infructuous by lapse of time and development as noted hereinabove.

5. Learned Counsel further prays that he had made certain complaints regarding actions taken by the Administrator/Authorized Officer during the period he was an

Administrator of the Co-operative Societies in question and the representation appears to have been addressed to the Commissioner, Co-operation and Registrar, Co-operative Societies under cover of Ex.'J' to the present Writ Petition dated 28/01/2015. He asserts that there has been no response made by the Respondent No.3 to the said complaint.

6. In view of the circumstances as noted hereinabove, we are of the considered view that no purpose would be served by keeping the present Writ Petition pending and consequently dispose of the same directing the Respondent No.2 to consider and dispose of the representation made by the learned Counsel for the Petitioner under Ex.'J' within a period of three months from the date of receipt of the copy of this order.

7. We further direct that the Petitioner shall forward an authenticated copy of this order along with copy of Ex.'J' to the Respondent No.2 for necessary action and compliance.

(SARANG V. KOTWAL, J.)

(INDRAJIT MAHANTY, J.)