

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CAW NO. 196/2019 IN WRIT PETITION NO. 4532 OF 2012

(Yavatmal District Central Co-operative Bank Limited through its President Manish Uttamrao Patil vs. State of Maharashtra thr. Secretary, Co-operation and Marketing Department & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : SUNIL B. SHUKRE &
S.M. MODAK, JJ.
FEBRUARY 27, 2019.**

Heard Shri P.C. Madkholkar, learned counsel for the petitioner, Mrs. S.S. Jachak, learned AGP for respondent Nos. 1 to 6 and Shri K.S. Narwade, learned counsel for the applicants - respondent Nos. 7 & 8.

There are two aspects involved in this case. The first aspect relates to the power to hold the elections. This power is now vested in the Additional Registrar – Respondent No. 3.

The issue regarding holding of the election has to be decided by the Additional Registrar and in this matter Respondent No. 7 and 8 would have to approach respondent No. 3 – Additional Registrar.

It is also brought to the notice of this Court that there is another writ petition concerning the very Bank in which stay to holding of the election has been granted and this stay is still in operation. This is something which is to be sorted out by respondent Nos. 7 & 8 and, therefore, on this count also this application cannot be considered.

Second aspect in this petition is, continuation of

present Managing Committee to administer the affairs of the petitioner – Bank. It is the contention of these respondents that their term is already over and this could not be continued further in the present position.

Again, we would only say that this fact would have to be brought to the notice of respondent Nos. 4 & 5 and if now this has been brought to their notice, its for respondent Nos. 4 & 5 to take appropriate decision in the matter.

Respondent Nos. 7 & 8 are at liberty to make a representation to respondent Nos. 4 & 5.

In the light of observations made hereinabove, civil application is disposed of. No order as to costs.

JUDGE

JUDGE

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