

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

WRIT PETITION NO.5525/2018

Mr. Mahesh S/o Sriram Khobragade and others

..Versus..

The Union of India, Through its Secretary, Department of Agriculture,
Cooperation and Farmers Welfare, Ministry of Agriculture and Farmers
Welfare, Krishi Bhawan, Rajendra Prasad Marg, New Delhi – 110 001 and
others

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

Court's or Judge's orders

Shri S.S. Sanyal, Counsel for petitioners
Shri U.M. Aurangabadkar, ASGI for respondent no.1
Shri B.G. Kulkarni, Counsel for respondent no.2
Shri C.B. Dharmadhikari, Counsel for respondent no.3

CORAM : SUNIL B. SHUKRE AND
MILIND N. JADHAV, JJ.

DATE : 30/09/2019

1. Heard.
2. Pursis dated 30/09/2019 produced before us is taken on record and it is marked as "X" for identification.
3. It stated in the pursis that the respondent nos.1 and 2 have initiated the action as per the provisions of Section 45 (6) of the Multi State Co-operative Societies, Act, 2002 (for short, hereinafter referred to as "the Act of 2002") as regards holding of the overdue elections to the Board of Directors.

4. The pursis is accompanied with the copies of two communications dated 24/09/2019. Both communications are issued by the Additional Commissioner (Cooperation) on behalf of the respondent no.2.

5. The first communication makes a request for furnishing list of officers, who could be considered for being appointed as Returning Officer for holding the elections. The second communication indicates that on receipt of such list, further action would be taken for appointing the Returning Officer to conduct the elections for constituting the new Board of Directors. The pursis thus indicates that now these steps are being taken in terms of Sections 39 (2) and 45 (6) of the Act of 2002 for holding of elections, which is also prayer Clause – (v) of this petition.

6. Accordingly, we find that purpose of this petition has been served and therefore, the writ petition is disposed of with a direction that the steps being taken for conducting the elections for constituting the new Board of Directors shall be taken to their logical end, in terms of Section 45 of the Multi State Co-operative Societies, Act, 2002.

The writ petition stands disposed of accordingly.
No order as to costs.

JUDGE

JUDGE