

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.1973 OF 2018

1. Mr. Shamsundar Shankar Khamkar,
Age: 52 years, Occ: Nil,
R/o. Sonai, Ta. Newasa,
District Ahmednagar
2. Mr. Ganesh Haribhau Gore,
Age: 32 years, Occ: Nil,
R/o. Sonai, Ta. Newasa,
District Ahmednagar
3. Mr. Ganesh Ambadas Tandale,
Age: 35 years, Occ: Nil,
R/o. Sonai, Ta. Newasa,
District Ahmednagar

PETITIONERS

VERSUS

1. The State of Maharashtra
through its Secretary,
Co-operation and Textile Department,
Mantralaya, Mumbai-32
2. The District Deputy Registrar
Co-operative Society, Ahmednagar
District Ahmednagar
3. The Assistant Registrar,
Co-operative Society, Newasa,
District Ahmednagar
4. Venkatesh Gramin Bigar Sheti
Pat Sanstha Maryadit Sonai,
Ta. Newasa, District Ahmednagar
through its Chairman

Mr. Sunil Madanlal Bang

5. Smt. S.S. Somani, Auditor,
Shop No.2 Basement of Somani
Hospital, Shrirampur, Ta. Shrirampur
District Ahmednagar

RESPONDENTS

Mr A.B. Jagtap, Advocate h/f Mr V.D. Sapkal, Advocate for
the petitioners;
Mrs P.V. Diggikar, A.G.P. for respondent/State;
Mr D.R. Jethliya, Advocate for respondent No.4;
Mr V.B. Jagtap, Advocate for respondent No.5

**CORAM : PRASANNA B. VARALE &
ANIL S. KILOR, JJ.**

DATED : 13th JANUARY, 2020

ORAL ORDER:

The petitioners who were employees of respondent No.4 society and working as Manager, Clerk and Cashier respectively approaching this Court with the principal prayer, prayer clause (B) in the nature of directions to respondent Nos. 1 to 3 to exercise powers under Section 81(c) of the Maharashtra Co-operative Societies Act and directions for re-audit of respondent No. 4 society for the period from 01/04/2016 to 31/03/2017.

2. Today, learned Counsel appearing for the petitioners placed on record the order dated 21st November, 2019 passed by the District Deputy Registrar, (Co-operative Societies), Ahmednagar by exercising powers under Section 81(1)(6) of the Maharashtra Co-operative Societies Act, 1960 directing re-audit of respondent No. 4 society and appointed Mr. D.K. Sawant, auditor, Co-operative Societies, Kopargaon. The District Deputy Registrar (C.S.), Ahmednagar further directed to submit self speaking report within 30 days after conducting re-audit. The communication/order dated 21st November, 2019 is taken on record and marked 'X' for identification.

3. Perusal of the aforesaid communication/order passed by the District Deputy Registrar (C.S.), Ahmednagar dated 21st November, 2019 further shows that the action was also initiated of lodgment of the First Information Report in view of the test audit report submitted through Mr. S.D. Kulkarni, Special Auditor

under Section 88 of the Maharashtra Co-operative Societies Act.

4. As the grievance of the petitioners no more survives in view of the order passed by the District Deputy Registrar (C.S.), Ahmednagar dated 21st November, 2019, writ petition is accordingly disposed of.

[ANIL S. KILOR, J.]

[PRASANNA B. VARALE, J.]