

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

WRIT PETITION NO. 7416 OF 2020

Arun s/o Pannalal Jain

.. Petitioner

Versus

Social and Cultural Association
Kusumbe, Taluka and District
Dhule through its President

.. Respondent

Mr U.S. Malte, Advocate for petitioner

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 28th October 2020

PER COURT:

1. Mr Malte, learned Counsel for the petitioner submits that the respondent, with *mala fide* and malicious intention initiated proceedings against the petitioner and the respondent is bent upon terminating the membership of the petitioner. The show-cause notice has been issued to the petitioner and petitioner has filed interim reply and sought documents relevant for the reply. The documents are not supplied. The respondent has terminated the services of the children of the petitioner. The proceedings in that regard are also pending. The principles of natural justice are not adhered to by the respondent.

2. The dispute is between the association and its members vis-a-vis the membership. In case, the respondent fails to adhere to the principles of natural justice, the petitioner would have remedy available and can agitate all the grounds before the proper forum.

3. Considering the stage at which the present dispute is, and also the factum that the dispute is between the association and its members for which the show-cause notice has been issued to the petitioner and the petitioner has filed his reply, at present, we are not inclined to exercise our jurisdiction under Article 226 of the Constitution of India.

4. Keeping all the contentions of the petitioner on merits open, we dispose of the petition. The petitioner may avail the remedy, as may be permissible in law. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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