

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.1059 OF 2019

Dated:07.02.2020

Between:

Smt. P. Sridevi, W/o. Devender
and others

.. Petitioners

And

Sri C. Parthasarathi, S/o. Not Known,
Aged about Major, Occ: Principal Secretary,
Cooperation and Agriculture Department,
Secretariat, Hyderabad and others

.. Respondents



This Court made the following:

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ORDER:

On 22.03.2019, the following order is passed in I.A.No.2 of 2019 in W.P.No.6106 of 2019:

“It appears, no governing body is existing to Maharana Pratap Cooperative Urban Bank Limited. To carry out certain amendments to the bye-laws, the Joint Registrar, District Cooperative Officer, Hyderabad, under Section 32 (5) (a) of the Telangana Cooperative Societies Act, 1964, called for General Body Meeting on 23.03.2019.

Sri K. Gangadhar, the Managing Director and Chief Executive Officer of the said Bank called for another General Body Meeting on 24.03.2019 to discuss the Agenda items mentioned therein. When there is no Executive Committee/Body existing as on today, the question of convening General Body meeting by the so called Managing Director does not arise. Therefore, the meeting scheduled to be held on 24.03.2019 is stayed.”

2. Alleging that the said order is violated and the Managing Director called for the General Body Meeting dated 25.08.2019 and the same would be amounting to violation of the directions of this Court, this Contempt Case is filed.

3. Smt. Esther Rani John working as Deputy Registrar of Cooperative Societies, Charminar, Hyderabad, deposed in the counter affidavit that the Sri B. Mohan Singh, claiming to be the Vice Chairman of the Society, filed W.P.No.1143 of 2019. On 28.01.2019, the Court granted interim order holding that as two general body meetings of the Managing Committee were not held in a year, the members of the Committee automatically cease to be the members and therefore the question of moving

'No Confidence Motion' against Vice Chairman did not arise. However, when the Court was informed that the general body meetings were held twice in a year, in I.A.No.3 of 2019 in W.P.No.1143 of 2019, the earlier interim order was vacated.

4. Learned Government Pleader for Cooperation therefore submits that the factum of competence to hold general body meetings was decided by this Court in I.A.No.2 of 2019 in W.P.No.1143 of 2019 and therefore the contention of the petitioner is not correct.

5. In addition to the directions issued in W.P.No.1143 of 2019, it is also seen from the interim order passed in this writ petition that taking note of the contention that there is no executive committee existing, the General Body meeting scheduled to be held on 24.03.2019 was stayed. There was no further direction not to hold such meetings after that date. Thus, it cannot be said that holding of meeting on 25.08.2019 would be amounting to violating the directions of this Court and more so in view of observations made by this Court in I.A.No.2 of 2019 in W.P.No.6106 of 2019, warranting initiation of contempt proceedings.

6. The Contempt Case is accordingly closed.

P. NAVEEN RAO, J

Date:07.02.2020

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