

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

990 WRIT PETITION NO. 2963 OF 2021

VIVIDH KARYAKARI SEVA SAHAKARI SOCIETY LTD. LOHA,
TQ. LOHA, DIST. NANDED AND ANOTHER
VERSUS
THE DIVISIONAL JOINT REGISTRAR, LATUR, DISTRICT
COOPERATIVE ELECTION OFFICER, NANDED AND
OTHERS

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Advocate for the Petitioners : Mr. P. D. Bachate
Advocate for Respondent Nos. 1 and 2 : Mr. V. H. Dighe
AGP for Respondent No.3 : Mr. S. B. Pulkundwar
Advocate for Respondent No.4 : Mr. R. K. Ingole

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CORAM : V. K. JADHAV, J.
DATED : 12TH FEBRUARY, 2021

PER COURT :-

1. By way of the present Writ Petition, the petitioner societies are challenging the legality, validity and propriety of the orders dated 03.02.2021 passed by respondent no.1- Election Officer, thereby rejecting the objections raised by the petitioners for inclusion of names of delegates of the petitioner societies to participate in the election process of respondent no.4 Nanded District Central Co-operative Bank Ltd., Nanded (for short, “respondent no.4 Bank”).

vre/-

2. Learned counsel for the petitioners submits that the petitioners are the co-operative societies registered under the provisions of the Maharashtra Co-operative Societies Act, 1960 (for short, "Act of 1960"). As the elections of petitioner societies were not held, the Administrator was appointed who was looking after the day to day affairs of the petitioner societies. The Administrator has not taken effective steps for holding general body meeting for sending the name of delegates so as to participate in the election of respondent no.4 Bank. Learned counsel submits that elections of the petitioner societies were held and results were declared on 02.03.2020 and 05.03.2020, respectively, and the elected body has taken over the charge.

3. Learned counsel further submits that the provisional voter list was published on 14.01.2021. In the general body meeting dated 22.01.2021 and 21.01.2021 respectively, the petitioner societies passed resolutions for sending names of their delegates so as to participate in the election process of

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respondent no.4 Bank and requested the respondent authorities vide applications dated 25.01.2021 and 22.01.2021, respectively, to include their names in the provisional voter list. Learned counsel submits that, however, respondent no.1 has rejected the said applications by the impugned order.

4. Learned counsel Mr. V. H. Dighe, appearing for respondent nos. 1 and 2, so also learned counsel Mr. R. K. Ingole, appearing for respondent no.4 Bank, have supported the order passed by respondent no.1.

5. I have also heard learned AGP for the respondent-State.

6. I have carefully perused the impugned orders. In the impugned orders, respondent no.1 has observed that the societies have not submitted the resolutions recommending the names of its delegates within time and the same has not been disputed.

vre/-

7. In view of the above, I find no fault in the impugned orders passed by respondent no.1. There is no substance in the Writ Petition. The Writ Petition is hereby dismissed.

(V. K. JADHAV, J.)