

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

WRIT PETITION NO. 3160 OF 2021

Seva Sahakari Sanstha Alegaon,
Tq. Nanded, Dist. Nanded.
Through its authorized person/delegate
Bhagwanrao S/o Madhavrao Patil ... Petitioner.

Versus

The State of Maharashtra
and others ... Respondents.

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Mr. B.N. Patil Gadegaonkar, Advocate for the Petitioner.
Mr. P.S. Patil, Addl.G.P for Respondent Nos. 1 to 3.
Mr. S.K. Kadam, Advocate for Respondent Nos. 4 and 5.
Mr. R.K. Ingole, Advocate for Respondent No.6.

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

DATE : 03rd MARCH, 2021

PER COURT:-

1. Mr. Gadegaonkar, learned counsel for the petitioner submits that within time the resolution was passed and the name of the delegatee was submitted. The name of the delegatee has been illegally rejected. Mr. Alegaonkar, whose name was recommended, has already resigned as a member of the managing committee on 05.11.2019 and the same was accepted on 11.11.2019. The resolution was passed on

09.01.2020 nominating Mr. Alegaonkar as a delegatee. On that day, when he was nominated as a delegatee, he was not a member of the managing committee so his name could have been accepted as a delegatee.

2. We have heard Mr. Kadam, learned counsel for respondent Nos. 4 and 5 and Mr. Ingole, the learned counsel for Respondent No.6.

3. The Administrator was appointed in the year 2017 over the Seva Sahakari Sanstha, Alegaon. In view of that the managing committee was not in existence as on the date. Mr. Alegaonkar is stated to have given the resignation when the managing committee was not in existence. Admittedly, the default was committed by the Society and the term of the managing committee came to an end. At the time default was committed by the society, Mr. Alegaonkar was the member of the managing committee. The order impugned needs no interference.

4. The writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P. Rane