

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

WRIT PETITION NO. 4029 OF 2021

Dattatray S/o Tulshiram Shembale
and others

... Petitioners.

Versus

The State of Maharashtra
and others

... Respondents.

....

Mr. P.S. Anerao, Advocate for the Petitioners.
Mr. PK. Lakhotiya, A.G.P for Respondents / State.
Mr. S.K. Kadam, Advocate for Respondent No.2.
Mr. R.K. Ingole, Advocate for Respondent No.3.

....

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

DATE : 03rd MARCH, 2021

PER COURT:-

1. Mr. Anerao, learned counsel for the petitioner submits that the resolution was passed nominating the delegatee for the election of the federal society. The learned counsel submits that the name of the delegatee ought to have been included in the final voters list. The respondents have illegally denied to include the name of the delegatee of the petitioner – Labour Cooperative Society.

2. Mr. Ingole, learned counsel for the Bank submits that the petitioner No.2 is in default of Rs. 4,97,000/-. As the petitioner No.2 is the defaulter society as per Section 73CA(A1)(f)(i) of the Maharashtra Co-operative Societies Act, 1960, is disqualified.

3. In view of that, no error has been committed.

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

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

S.P. Rane