

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

WRIT PETITION NO. 6914 OF 2020

The Rashtriya Shakari Shikshan
Prasarak Mandal Ltd. Chalisgaon
and others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Shri Dhananjay B. Thoke, Advocate for the Petitioner.

Shri A. R. Kale, A.G.P. for Respondent Nos. 1 to 5.

Shri A. B. Kale, Advocate for Respondent Nos. 6 to 10.

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

DATE : 24TH FEBRUARY, 2021.

FINAL ORDER :

. Mr. Thoke, the learned advocate for petitioners submits that, the enquiry was concluded U/Sec. 73(1),(1AB) and 78A(1)(a) (i), (ii) of the Maharashtra Co-operative Societies Act. Though the enquiry was concluded, again fresh notice has been issued to the petitioners seeking explanation from the petitioners. The same is illegal.

2. Mr. Kale, the learned counsel appears for respondent Nos. 6 to 10 and submits that, enquiry is not against the petitioners, but same is against one Mr. Meghraj Rathod. The petitioners have erroneously challenged the same. The petitioners have nothing to do with the notice impugned in the present writ petition.

3. Mr. Kale, the learned Assistant Government Pleader for respondents/State also submits that, the notice is issued on the basis of complaint of one Avinash Deshmukh, wherein allegations are against Mr. Meghraj Rathod, the officer of the Co-operation Department. The notice is not pertaining the enquiry against the petitioners.

4. May be the petitioners are issued with the notice to call for their say and the same may be by way of evidence.

5. As the notice issued to the petitioners is not concerning enquiry against the petitioners, but same is against the officer of the Co-operation Department, in that event, the petitioners need not be apprehensive and the petitioners would not get locus to assail the same.

6. In view of the statements made by the learned advocate for the respondent Nos. 6 to 10 and the learned A. G. P. the apprehension of the petitioners stands redressed. In case the authorities intend to take any action against the petitioners, the petitioners are at liberty to assail the same at the appropriate stage and before the appropriate authority.

7. The writ petition as such is disposed of. No costs.