

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7483 OF 2021

Valerian N. Gonsalves & Anr. ... Petitioners
V/s.
The Divisional Joint Registrar
Konkan Bhavan, Navi Mumbai & Ors. ... Respondents

Mr.Kishor Patil i/b Sachin Shetye for the Petitioners.

Mr.Sachin H. Kankal AGP for Respondent Nos.1 to 3.

Mr.Amar Parsekar for Respondent No.6.

**CORAM: MADHAV JAMDAR, J.
(VACATION COURT)**

DATE : 8TH NOVEMBER, 2021

P.C:-

1. Heard Mr.Kishor Patil, learned Counsel for the Petitioners; Mr.Sachin Kankal, learned AGP for Respondent Nos.1 to 3; and Mr.Amar Parsekar, learned Counsel for Respondent No.6.

2. This Court by the order dated 25/10/2021 passed in Writ Petition No.7149 of 2021 directed Respondent No.1 i.e. the Divisional Joint Registrar, Co-operative Societies, Konkan Bhavan, Navi Mumbai, not to take further steps till 26th October, 2021. On 26/10/2021, this Court refused to grant relief inter alia on the ground that although substantive appeal filed by the Petitioners is pending before the State Government, no attempt was made by the Petitioners to move interim application in the said appeal.

3. Mr.Kishor Patil, learned Counsel appearing for the Petitioners pointed out that after the order dated 26/10/2021 was passed by this Court, on 29/10/2021 such Miscellaneous Application in Revision Application No.575 of 2018 was filed before the Minister for Co-operation, Mantralaya, Mumbai. However, said application is not considered and no orders are passed till date. Mr.Kishor Patil, learned Counsel further submitted that by order dated 12/10/2021, Respondent No.8 was appointed as authorised officer to conduct elections. Respondent No.8 issued election program on 28/10/2021 scheduling elections on 2/11/2021. However, as nobody attended the meeting held on 2/11/2021, the elections could not be held.

4. In view of above, Respondent No.7 – the Minister for Co-operation, Mantralaya, Mumbai is directed to decide Miscellaneous Application preferred on 25/10/2021 in Revision Application No.575 of 2018 (Exhibit-E to the Petition) within a period of four weeks from today. For said period of four weeks Respondent No.8 is directed not to conduct elections and no coercive steps shall be taken for said period of four weeks.

5. It is clarified that contentions of all the parties are expressly kept open.

6. Writ Petition is disposed of in the above terms.

[MADHAV JAMDAR, J.]