

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 16090 OF 2022

Raghab Siya and others* *Petitioners

Mr. Sidharth Prasad Das, Advocate

-versus-

State of Odisha and others* *Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
15.09.2022**

Order No.

1. This matter is taken up through hybrid mode.
2. The grievance of Petitioners in this writ petition is with regard to non-acceptance of their memberships by the Central Co-operative Society, namely, Aska Co-operative Sugar Industries Ltd..
3. It is submitted by learned counsel for the Petitioners that sugarcane growers of Aska have formed a Co-operative Society in the name and style as "Aska Service Co-operative Society" in the which the Petitioners are members. By a resolution of general body meeting dated 24th September, 2018, it was decided to be the members of Central Co-operative Society. Accordingly, an application enclosing the resolution as well as relevant documents were submitted by the Petitioners before the Managing Director of Aska Co-operative Sugar Industries Ltd. for its consideration for being the members of the said society. Referring to Section 16(2) of the Odisha Co-operative Societies Act, 1962, learned counsel

for the Petitioners submits that if no communication is made by the Central Co-operative Society within thirty days from the date of submission of the application to be the members of the said society, they are deemed to be the members of the said co-operative society. Thus, the Petitioners were under impression that Aska Service Co-operative Society has become a member of Central Co-operative Society, namely, Opposite Party No.4. But, from the electoral roll prepared for the ensuing election of Opposite Party No.4-Society, they came to know that they are not the members of Central Co-operative Society. Hence, the Petitioners made a representation to the Registrar, Co-operative Society-Opposite Party No. 2 to redress their grievances and accept them as members of Aska Co-operative Sugar Industries Ltd. He, therefore, prays that a direction may be made for early disposal of said representation treating to be an election dispute case under Section 68 of the Act in terms of Section 16(2) of the Act.

4. On perusal of the record, it appears that pursuant to the application of the Petitioners, the Opposite Party No. 4-Aska Co-operative Sugar Industries Ltd. had convened a meeting on 5th May, 2020. In the said meeting, the applications of Aska Service Co-operative Society along with others were considered vide Agenda No.2 and were rejected. In that view of the matter, this Court is not inclined to issue any direction to the Registrar, Co-operative Society, Odisha, Bhubaneswar-Opposite Party No.2 to consider the representation of the Petitioners. The Petitioners, if

so aggrieved, may work out their remedy under law in the appropriate forum.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks

