

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5106 OF 2021

Shantabai Zankarmal Meher and Others

....Petitioners

VERSUS

The State of Maharashtra and Others

....Respondents

Advocate for Petitioner : Mr. D.R. Jayabhar
AGP for Respondent Nos. 1 & 2 : Mr. S.G. Karlekar

**CORAM : A.S. GADKARI AND
S. G. MEHARE, JJ.**

DATE : 03.02.2022

P.C. :

1. At the outset, learned AGP raised the primary objection and submitted that, as respondent No. 3 is not funded by Government, it is not an entity to attract Article 12 of the Constitution of India and therefore the present petition seeking direction against respondent No. 3 is not maintainable.

2. We find substance in the said contention.

Respondent No. 3 is a Co-Operative Credit Society and certainly not a 'State' as contemplated under Article 12 of Constitution of India.

3. In view thereof, the petition is misconceived and is accordingly dismissed summarily.

However, we reserve the rights of the petitioners to avail remedy as may be permissible under the Maharashtra Co-Operative Societies Act, 1916, and Rules framed thereunder or other laws as may be applicable to the petitioners.

[S.G. MEHARE, J.]

[A.S. GADKARI, J.]

SPC