

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

280 WRIT PETITION NO.9956 OF 2022

DEEPAK BALAJI KOKADWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH COOPERATIVE DEPARTMENT AND OTHERS

...
Advocate for Petitioners : Mr. Gaurav L. Deshpande.
AGP for Respondent/State: Mr. S. G. Karlekar.
...

CORAM : **RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, JJ.**

DATE : 14th November, 2022.

P.C.:

1. The petitioner are private individuals, who are aggrieved by a decision of respondent No.4 – Jintur Taluka Audhogik Vasahat Sahakari Sanstha Maryadit, which is a society registered under the Maharashtra Co-operative Societies Act. The reason for being aggrieved, initially while approaching this Court, was that an annual general body meeting was called for by respondent No.4 vide notice dated 1st September, 2022. During the pendency of this petition, the meeting has been held and the resolution has been passed terminating the contract between the said society and the petitioners.

2. This petition need not be entertained for two reasons:

- (a) Notwithstanding that the land has been allocated to respondent No.4 by the State, respondent No.4 does

become a 'State' under Article 12 of the Constitution of India; and

(b) Respondent No.4, which is a co-operative society, has terminated the contract with the petitioners.

3. If the petitioners are aggrieved, they have to avail of remedy as is permissible under the Maharashtra Co-operative Societies Act or under any other law, which enables the petitioners to avail of a statutory remedy for seeking damages.

4. In view of the above, this petition is disposed off with liberty to the petitioners to avail of a remedy as is statutorily permissible.

[SANJAY A. DESHMUKH, J.]

[RAVINDRA V. GHUGE, J.]

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