

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14839 OF 2021

Ashok S/o Fattechand Ajmera

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr. A. B. Kadethankar, Advocate for the petitioner.

Mr. D. R. Kale, GP for respondents No. 1, 2, 4 and 5.

Mr. V. D. Hon, Senior Counsel instructed by Mr. A. V. Hon, Advocate for respondent No. 6.

**CORAM : RAVINDRA V. GHUGE &
S. G. DIGE, JJ.**

DATE : 22nd APRIL, 2022.

PER COURT :

1. We have considered the strenuous submissions of the learned Advocate for the petitioner, the learned Senior Advocate along with Mr. A. V. Hon, on behalf of respondent No. 6 and the learned Chief Government Pleader on behalf of respondent Nos. 1, 2, 4 and 5. With their assistance, we have perused the documents placed before us along with the petition.

2. It is informed by the senior Advocate that the proceedings under Section 81C of the Maharashtra Co-operative Societies Act have already been undertaken. The apprehension of the petitioner who is a depositor with respondent No. 6, is that no action would be taken, only to the benefit of respondent No. 6.

3. The learned Senior Advocate submits that respondent No. 6 is not allergic to any proceedings. The proceedings undertaken under Section 81(C), have to be taken to their logical end and accusations against respondent No. 6, midway through the proceedings, is impermissible.

4. We are also informed that the Special Auditor, Class-I, has conducted a Test Audit and final report dated 22nd November, 2021 has been submitted to the Registrar, Co-operative Societies and Commissioner, Co-operation, Maharashtra State.

5. In view of the above, this petition is disposed off. We expect the statutory authorities who are in receipt of the audit report dated 22nd November, 2021, to deal with the same, strictly in accordance with the procedure. We make it clear that we have not

expressed any opinion as regards the allegations against respondent No. 6 or the contents of the report dated 22nd November, 2021.

(S. G. DIGE)
Judge

(RAVINDRA V. GHUGE)
Judge

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