

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CIVIL APPLICATION NO.16718 OF 2022
IN WP/12134/2022 WITH WP/12134/2022 WITH CA/16965/2022 IN WP/
12134/2022

GANGARAM NAMDEO KATKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

Advocate for Applicant : Mr. Tope Sambhaji S.
GP for Respondents/State : Mr. D.R. Kale

CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

DATE : 16.12.2022.

PER COURT :

The petitioner is coming with following prayers :

“B) By issuing a Writ of Certiorari or any other writ or order or direction in the like nature, the impugned order dated 16.11.2022 passed by respondent No. 4 i.e. the District Deputy Registrar, Cooperative Societies, Jalna Tq. Jalna, Dist. Jalna may kindly be quashed and set aside and for that purpose issue necessary directions.

C) By issuing a writ of certiorari or any other writ or order or direction in the like nature, the impugned order dated. 21.11.2022 passed by respondent No. 5 i.e. the Assistant Registrar Cooperative Societies, Ambad, Tq. Ambad Dist. Jalna may kindly be quashed and set aside and for that purpose issue necessary directions.

D) By issuing appropriate writ, order or direction in the like nature the respondent No. 3 i.e. Secretary of State Cooperative Election Authority may kindly be direct to hold the elections of the respondent No. 6 i.e. Vividh Karyakari Seva Sahakari Society, Patharwala (Bk) Tq. Ambad Dist. Jalna and for that purpose may issue necessary orders.

E) Pending hearing and final decision of the Writ Petition, the implementation and effect the impugned order dated 21.11.2022 passed by respondent No. 5 i.e. the Assistant Registrar Cooperative Societies, Ambad Tq. Ambad Dist. Jalna may kindly be stayed and direct to the respondent Nos. 4 and 5 to allow the present existing committee to work until fresh elections of the respondent No. 6 is held in view of Section 73 AAA of the Maharashtra Cooperative Societies Act, 1960 and for that purpose issue necessary directions.”

2. Going by the roster all the writ petitions except the election matters under the Cooperative Societies Act, 1960 lie before the First Court.

3. Though the matter is circulated before us, when we point out this fact to the learned advocate for the petitioner, the learned advocate, on instructions, seeks leave to delete the prayer clause ‘B’ and ‘C’. As per the roster the matter to the extent of prayer clause ‘D’ lies before this Court and that is why we are entertaining it.

4. The Civil Applications are moved for amendment. By way of first Civil Application No. 16718/2022 a show cause notice was challenged and by the other Civil Application No. 16965/2022 the order passed pursuant to such show cause notice has been sought to be challenged by incorporating appropriate amendments. There is also request to add the Registrar, Agricultural Produce Market Committee -Ambad as respondent No. 7.

5. Since the proposed amendments addressed supervening events, we allow the applications and permit the amendments to be carried out forthwith.

6. List the petition for admission on 20.12.2022.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

mkd/-