

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1378 OF 2020**

Shri. Sachin Madhukar Kachare and ors.Petitioners

Versus

The State of Maharashtra through
Secretary, Co-operative Department, Mantralaya,
Mumbai and ors.Respondents

Mr. Sandeep S. Koregave, Advocate for the Petitioners.
Ms. M. S. Bane, AGP for respondent Nos. 1 to 3.
Mr. Pradip Zende i/b. Mr. Nandu Pawar, Advocate for respondent No.4.

**CORAM : PRASANNA B. VARALE &
KISHORE C. SANT, JJ.**

DATE : 25th JULY, 2022.

P.C. :

1. Heard learned counsel and learned AGP appearing for the respective parties. Mr. Zende, learned counsel submitted that Advocate - Mr. Nandu Pawar has been instructed to appear on behalf of respondent No.4 and he would file vakalatnama in the Registry. The statement is accepted. The Registry to accept the vakalatnama, if the same is filed by Friday, 29th July, 2022.

2. Rule. Rule is made returnable forthwith and by consent of the parties, the petition is heard finally.

3. The limited grievance raised in the petition is that the petitioners have deposited certain amounts in the Co-operative Credit Society Limited viz. Yashodeep Gramin Non-Agricultural Co-operative Pat

Sanstha Ltd., Mayani, Taluka-Khatav, District – Satara. It is submitted that for various financial operations, the petitioners particularly and other depositors jointly sought assistance from the said credit society. There are also certain issues in respect of the recovery of certain deposits. It is also submitted that as there is no officer of the rank of Assistant Registrar (Co-operative Societies), available for the said area i.e. Taluka – Khatav, District – Satara, the petitioners and other depositors are facing various problems. It is also submitted that such officer in the office of the Co-operative Societies is expected to consider the affairs of the credit societies and if he finds that the society or credit society is not properly functioned by the elected office bearers, such officer may take appropriate steps including appointment of administrator over the society. The delay in having a proper and competent officer in the Co-operative Department and particularly, an officer in the post of Assistant Registrar, causes serious prejudice to the petitioners and other depositors.

4. Learned counsel for the petitioners was fair enough to invite our attention to the copy of the application placed on record at Exhibit – A, pages 15 and 16 and further submitted that the petitioners are not very conversant with the legal provisions and under an erroneous impression, the application was submitted to Assistant Registrar, Cooperative Society, Waduj, Taluka – Khatav. Learned counsel for the petitioners, on instructions, submitted before this Court that within three

weeks, a proper and comprehensive representation, would be submitted to the competent authority of the State Government raising necessary grievances and seeking necessary directions. He further submitted that on submission of such application/representation, the State Government be directed to pass appropriate orders on the said application/representation expeditiously.

5. Considering the above aspect of the matter, we deem it appropriate to pass the following order :

ORDER

- (1) The petitioners are permitted to submit a proper and comprehensive application/representation to the competent authority of respondent No.1- State of Maharashtra through Secretary, Cooperative Department, Mantralaya, Mumbai, within three weeks from today.
- (2) On receipt of such application/representation, respondent No.1- State to decide the same as expeditiously as possible and not later than 12 weeks from the date of receipt of the application.

Rule made absolute in above terms. Accordingly, the writ petition stands disposed of.

(KISHORE C. SANT, J.)

(PRASANNA B. VARALE, J.)