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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5100 OF 2019**

Mr. Hanmant Anna Shinde & Others Petitioners.

V/s

The Divisional Joint Registrar and Others Respondents.

Dr. Uday Warunjikar a/w Aditya Kharkar for the Petitioners.

Mr. P.P. Pujari, AGP for Respondent Nos. 1 and 2.

CORAM: NITIN W. SAMBRE, J.

DATE: JULY 27, 2022

P.C.:-

1] Perused the affidavit tendered by the learned Assistant Government Pleader Mr. Pujari on behalf of Assistant Registrar, Co-operative Societies, Waduj, Tal. Khatav, District – Satara.

2] Fact remains that this Court on 20th July, 2022 has noted that the order impugned is not in tune with directions issued by this Court in Writ Petition No.5522 of 2018, whereby order of remand was passed on 18/09/2018. Respondent No.1 – Divisional Joint Registrar was expected to deal with the contentions of the parties as was directed on the issue of membership. As the order impugned is not in tune with the same so also provisions of Section 23 of the Maharashtra Co-

operative Societies Act, it will be appropriate to quash and set aside the said order.

3] That being so, Petition stands allowed in terms of prayer clause (a).

4] Respondent No.1 as such is directed to decide the issue as regards entitlement of the Petitioners to be enrolled as members of the Respondent-Society afresh after hearing them. It is expected of the said authority to take decision on the issue within three months from today.

5] In case if election process as regards declaration of voters' list commences, it shall be open for the Petitioners to raise appropriate objection in the backdrop of the order passed by this Court.

(NITIN W. SAMBRE, J.)