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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2982 OF 2021**

Devashish Bhagwant Deshpande & Ors ...Petitioners
Versus
Commissioner for Cooperation and Registrar of ...Respondents
Cooperative Societies & Ors

Mr Aseem Naphade, with Shivam Laturiya, i/b APS Law Associates,
for the Petitioners.
Mrs Uma Palsuledesai, AGP, for Respondent-State.
Mr Nilesh Pandey, for Respondent No.4.
Mr EA Sasi, for the Intervenor.

**CORAM G.S. Patel &
Madhav J. Jamdar, JJ.**
DATED: 1st March 2022

PC:-

1. The Petition says that the Administrator could not have continued beyond his statutory term. The Administrator has in fact resigned. The 3rd Respondent is the society of which the Petitioners are undoubtedly members (as are some Intervenor before us today). We are informed that elections were announced. Some 13 persons filed nomination papers. All 13 withdrew. The result was that the election had to be cancelled.

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2. It does not matter whether some of 13 were or were not eligible, this is the final consequence.

3. The 3rd Respondent society has, however, applied to the Deputy Registrar, the 2nd Respondent, to appoint a Board of Administrators.

4. Ms Palsuledesai informs us on instructions that this representation will be decided within one week from today. That is more than eminently reasonable. The 2nd Respondent will decide their application uninfluenced by the allegations made in this Petition.

5. No further directions are required in this Petition. It is disposed of in these terms with no order as to costs.

6. We clarify that we are not making any order in regard to any payments by the society until the 2nd Respondent constitutes a Board of Administrators.

7. All concerned will act on production of a digitally signed copy of this order.

(Madhav J. Jamdar, J)

(G. S. Patel, J)