

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.5893 OF 2022

Mohan Krishna Rao Rajas and Anr.

-Vs.-

State of Maharashtra and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr C. M. Samarth, Advocate for the petitioners
Mr N. S. Rao, AGP for respondent Nos.1,2 and 5

CORAM : SUNIL B. SHUKRE AND

G. A. SANAP, JJ.

DATED : 22.09.2022

Heard learned counsel for the petitioners.

2] It is the contention of the learned counsel for the petitioners that the proposed rule to hold Annual General Meeting of respondent No.4- Bank, which is a registered Co-operative Society, is with a view to induce voters into casting their votes in favour of some person and casting their votes against some other candidates and therefore, holding of Annual General Meeting by itself would amount to corrupt practice under Rule 79 of the Maharashtra Co-operative Societies (Election to Committee) Rules, 2014 (for short "MCS Rules").

3] Learned AGP for respondent No.1 submits that holding of Annual General Meeting *per se* is not prohibited under the MCS Rules and the agenda of the proposed

Annual General Meeting indicates that it has got no relation whatsoever with the election of any candidate.

4] On going through the material placed on record we find there is substance in the submission of the learned AGP. The agenda on its face does not show that it has got any relation with the prospect of any candidate or choice of any voter to vote in a particular manner. Besides, there is no provision of law which prohibits a registered society from holding Annual General Meeting during the midst of declared election programme. Therefore, this is a case which is neither covered by Rule 79 of the MCS Rules nor by any other provision of law. Therefore, there is no merit in the petition.

The petition stands summarily **dismissed**. No costs.

(G. A. SANAP, J.)

(SUNIL B. SHUKRE, J.)

Namrata