

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

19 WRIT PETITION NO.6718 OF 2023

YUVRAJ YASHVANTRAO SONAWANE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

Mr.Sandesh R.Patil, Advocate for the Petitioner.
Mr.P.K.Lakhotiya, AGP for the Respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.)

DATE : JULY 3, 2023

PER COURT :

1. The Petitioner has put forth prayer clauses B and C as under :-

"B. Issue appropriate writ or order or direction in the nature of writ of Mandamus, and thereby direct Respondent No.3 Deputy Registrar, Co-operative Societies, Dhule Taluka, Dhule, Dist. Dhule to take decision in respect of appointment of Administrator under Section 78(1) of the MCS Act, on Respondent No.4 - Jaihind Co-operative Housing Society Limited, Dhule, and not to conduct election of Respondent No.4 - Jaihind Co-operative Housing Society Limited, Dhule.

C. Pending hearing and final decision of this writ petition, grant stay to the election process of Respondent No.4 Housing Society initiated by

the Respondent No.3 vide finalization of voters list program dated 07.06.2023, published in 'Sakal' Daily News Paper dated 8.6.2023."

2. We find that the Taluka Co-operative Election Officer-cum Deputy Registrar, Co-operative Societies, Dhule, has already issued a notice dated 07.06.2023 vide which a time schedule is mentioned and 27.06.2023 was the date on which the final voters' list was to be published.

3. The grievance of the Petitioner is that a proceeding initiated before the Deputy Registrar, Co-operative Societies, Dhule by the Petitioner himself, u/s 78(1) of the Maharashtra Co-operative Societies Act, 1960, is pending. The concerned Authority has closed the said proceedings for orders, on 29.08.2022. As yet, orders are not passed.

4. In view of the above, **this petition is disposed off** with a direction to Respondent No.3 to issue notices to the litigating parties, afresh, since the matter is said to be closed for orders almost 10 months ago. After granting an opportunity of hearing within 45 days from today, the Authority would proceed to pass an appropriate reasoned

order within 45 days thereafter.

5. In view of the above, we are not entertaining the prayer of the Petitioner that Respondent No.3 be directed not to conduct the elections.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)