

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

19 WRIT PETITION NO.8409 OF 2023

1. Sunil Dnyaneshwar Kakade, ...PETITIONER

VERSUS

1. Sinchan Karmachari Sahakari ...RESPONDENTS
Patsanstha Ltd. Parbhani

2. The Divisional Joint Registrar,
Co-operative Societies, Aurangabad

3. The Assistant Registrar,
Co-operative Societies, Parbhani

AND

21 WRIT PETITION NO. 8422 OF 2023

Bhagwat Madhav Kavhar, ...PETITIONER

VERSUS

1. The State of Maharashtra, ...RESPONDENTS

2. The Divisional Assistant Registrar
Co-operative Societies, Aurangabad

3. The Assistant Registrar,
Co-operative Societies, Parbhani

4. Sinchan Karmachari Sahakari
Patsanstha Ltd. Parbhani

Mr. Surendra V. Suryawanshi, Advocate for the petitioner in wp/8409/23

Mr. M. K. Bhosale, Advocate for the petitioner in wp/842/2023

Mr. Santosh N. Pawde, Advocate for respondent NO. 4 in wp/8422/2023 and respondent NO. 1 in wp8409/23

Mrs. D. S. Jape, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 18th JULY, 2023

P C.

1. In both the petitions grievance of the petitioners is common and therefore both the petitions are being taken up together.

2. Respondent No.1 has appeared suo moto through advocate. Learned AGP waives service of notice for the respondents/State.

3. In view of the submission these petitions can be disposed off at this stage conveniently.

4. Common grievance of the petitioners is that respondent No.1 Society had passed the resolution and remove

them from membership of the society. The petitioners approached the learned Assistant Registrar Co-operative Societies, Parbhani against the order. Learned Assistant Registrar Cooperative Societies by judgment and order dated 24-11-2020 allowed the application filed by the petitioners declaring that removing them from membership is illegal and said resolution is quashed and set aside. The then President of the Society-respondent No.1 filed revision No. 23/2022 & 24/2022 before the Divisional Joint Registrar Cooperative Societies, Aurangabad. Society filed pursis stating that society does not want to prosecute the said revision and they accepted the order passed by the learned Assistant Registrar. That pursis was filed on 01-03-2022. In spite of this positions, the learned Divisional Joint Registrar Co-operative Societies, Aurangabad allowed the revision application by judgment and order dated 25-05-2023.

5. In view of above, both the petition stand allowed.

6. Common order passed by the Divisional Joint

(4)

19wp8409.23

Registrar, Cooperative Societies, Aurangabad dated 25-05-2023 stands quashed and set aside.

7. The order dated 24-11-2020 passed by the learned Assistant Registrar, Co-operative Societies, Parbhani is confirmed.

[KISHORE C. SANT, J.]

VishalK/19wp8409.23