

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5107 OF 2022

Bira Maruti Kolekar and Ors.

... Petitioners

Versus

The State of Maharashtra
Through its Principal Secretary,
Ministry of Cooperation,
Mantralaya, Mumbai and Ors.

... Respondents

.....

Mr.Vishwanath S. Talkute, Advocate for the Petitioners.

Mr.N.K. Rajpurohit AGP for State-Respondent Nos.1 to 6.

Mr.Samir A. Kumbhakoni, Advocate for Respondent No.13.

Ms.Pranali P. Railkar i/b. Mr.Ajay A. Joshi, Advocate for Respondent No.18.

.....

**CORAM : NITIN JAMDAR AND
MANJUSHA DESHPANDE, JJ.**

DATE : 19 DECEMBER 2023.

P.C. :

Petitioners eleven in number, the members of Respondent No.7-Sangola Taluka Mendpal Wa Lokar Katkam Venkam Sahakari Sanstha, Taluka-Sangola, District-Solapur have filed this Petition making a grievance that there have been large scale irregularities in respect of sale of the property of Respondent No.7 bearing Survey No.535/2/A/3/1 admeasuring 0 H 66 R situated at at Taluka-Sangola, District-Solapur. The Petitioners have sought a direction that an inquiry be conducted into these irregularities.

2 The learned counsel states that all these members had made a detailed representation to the State Government, however, no action has been taken.

3 This Petition is filed on 16 June 2021 and has come up in due course. No notices have yet been issued. The Respondents have also not filed their reply affidavits.

4 Since the Petitioners have made representations to the State Government pointing out which according to the Petitioner are irregularities and, the learned counsel asserts that from filing of the representations on 17 December 2020 almost for three years, no action is taken, the appropriate course of action is to call upon the State Government to examine the representations and thereafter proceed further, as may be warranted in law and fact.

5 Accordingly, Writ Petition is disposed of directing that the Respondent–State will consider the Petitioners representations and take such action as may be warranted in law.

6 We make it clear that since we have not issued notices to the Respondents and that Respondents have not filed reply affidavits, we have not concluded as to the veracity of what is stated in the representations or foreclose any defence that Respondents may have. We are issuing these directions as a matter of administrative

discipline where a representation has remained pending without any decision for a period of three years. Let the file be placed before the concerned officer within a period of four weeks from today who will thereupon conclude the proceedings, if any, within four months.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)