



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13049 OF 2022

Nandgaon Gram Vividh Karyakari

.. Petitioner

Versus

Raghuveer Vividh Karyakari Sahakari & Ors .. Respondents

...

Mr. Surel S. Shah, *Advocates for the Petitioner.*

Mr. A.P. Vanasare, *AGP for Respondent Nos. 2 to 5.*

...

CORAM : SANDEEP V. MARNE, J.

DATE : 9 OCTOBER 2023

P. C.

1. Challenge to the present petition is to the Order dated 6th July 2022 passed by the Deputy Registrar, Co-operative Societies, Karad granting no objection for registration of the Respondent No.1 Society.

2. Mr. Shah, learned counsel appearing for the Petitioner would submit that a Committee constituted by the State Government for examining a proposal submitted by Respondent No.1 for registration had adopted a Resolution

that Registration to Respondent No.1 Society be granted only in the event of Petitioner Society submitting no objection certificate. He would submit that when the Petitioner Society was called for hearing, it has submitted before the Deputy Registrar that it's 52 members were yet to repay loan of Rs. 23,90,000/- and after recovery of the said outstanding amounts, Petitioner Society shall issue no objection certificate for registration of Respondent No.1 Society. He would submit that before issuance of such NOC, the Deputy Registrar proceeded to issue no objection certificate for Registration of Respondent No.1 society. Accordingly, by Certificate dated 11.07.2022 Respondent No.1 has been granted registration by the Deputy Registrar.

3. Perusal of the impugned Order dated 6th September 2022 passed by the Deputy Registrar as well as the Rojnama recorded on 29th March 2022 would indicate that a finding was recorded by the Deputy Registrar that even if 52 members (whose loans were outstanding) were to be excluded from membership of Respondent No.1, still Respondent No.1 was fulfilling the eligibility criteria for registration of the society. It thus clearly appears that the

Deputy Registrar contemplated registration of Respondent No.1 society without taking into consideration the membership of such 52 members.

4. Upon being asked, Mr. Shah fairly concedes to the position that the said 52 members have by now repaid the entire outstanding loans to the Petitioner Society. In that view of the matter, there should be no objection by the Petitioner Society for registration of Respondent No.1 Society.

5. Therefore no error can be traced in the impugned Order dated 6th July 2022 passed by the Deputy Registrar. The Writ Petition is devoid of merits and is dismissed without any order as to costs.

[_SANDEEP V. MARNE, J]