

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7381 OF 2012**

Shri.Vitthalaidevi Sahakari Dudh Vyavasayik ... Petitioners
Sanstha Ltd., Vesarde & Ors.

Versus

State of Maharashtra & Ors. ... Respondents

AND

WRIT PETITION NO.7571 OF 2012

Shri.Ganesh Sahakari Dudh Vyavasayik ... Petitioners
Sanstha Ltd., Borivade & Ors.

Versus

State of Maharashtra & Ors. ... Respondents

AND

WRIT PETITION NO.830 OF 2013

Shri.Radhakrishna Mahila Sahakari Dudh ... Petitioners
Vyavasayik Sanstha Maryadit, Undarwadi

Versus

State of Maharashtra & Ors. ... Respondents

AND

WRIT PETITION NO.831 OF 2013

Kamma Sahakari Dudh Vyavasayik Sanstha ... Petitioners
Maryadit, Talashi.

Versus

State of Maharashtra & Ors. ... Respondents

Mr.Prashant Bhavake, for the Petitioners in all Petitions.
Mr.Surel Shah, Respondent No.4 in all Petitions
Mr.C. D. Mali, AGP for the State-Respondent Nos.1 to 3.

**CORAM: G. S. KULKARNI, J.
DATED: JANUARY 07, 2023**

PC.

1. These are four petitions which impugn the orders passed by the State Government whereby the revision applications filed by the

petitioners have been rejected. The dispute in the present proceedings was in regard to expulsion of the petitioners by respondent No.4 – Kolhapur Zilla Dudh Utpadak Sangh Ltd. - a Federal Society. (for short **‘the federal society’**).

2. Heard Mr.Bubna, learned Counsel for the petitioners for some time and Mr.Shah, learned Counsel for Respondent No.4 - federal society. Mr.Shah had contended that in fact at certain point of time, some of the societies were inclined to submit resignation and they had done so with a specific communication. However, the dispute with regard to the expulsion before the appropriate authority leading to revision application and the decision on the revision application has been rendered against the petitioners. Mr.Bubna, on instructions, submits that his clients are ready and willing to take a position that the petitioners-societies have resigned from the membership of respondent No.4 – federal society. Mr.Shah, on instructions, submits that such a resignation would be accepted by respondent No.4-federal society and the share capital amounts deposited by each of these petitioners shall be refunded to the petitioners within a period of four weeks from today, as per law. The statement of Mr.Shah, on instructions, is accepted.

3. In view of a fair position taken by both the parties, the petitions would not warrant further adjudication. The petitions are accordingly disposed of in the above terms. No costs.

4. Needless to observe that such resignations shall not in any manner affect the entitlement of the petitioners to make a fresh application to respondent No.4 – federal society and if such application is made, the same shall be considered by respondent No.4 in accordance with law,

without being influenced by the impugned order.

- 5.** All contentions in that regard are expressly kept open.
- 6.** Parties to act on the authenticated copy of this order.

(G. S. KULKARNI, J)