

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.2398 of 2023

Seva Sahakari Society Limited and others

vs.

State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. P.S. Patil, Advocate for the Petitioners.
Mrs. N.P. Mehta, A.G.P. for Respondent Nos.1 to 3.

CORAM : A.S. CHANDURKAR AND M.W. CHANDWANI, JJ.
DATE : 13th APRIL, 2023.

The petitioners, which are the cooperative societies registered under the provisions of the Maharashtra Cooperative Societies Act, 1960, have been issued notice of liquidation under Section 102 of the said Act. The said notice is dated 11/03/2023. The petitioners have sought time to submit documents before the Deputy Registrar and it is apprehended that without considering their replies, further orders would be passed. Reliance is placed on the decision of this Court in Writ Petition No.2266 of 2023 by which protection was granted to the concerned societies in case any adverse order is passed by the District Deputy Registrar.

02] It is submitted by the learned Assistant Government Pleader for respondent Nos.1 to 3 that despite grant of time, replies are not being filed by the societies. Since, the elections of the Market Committee are to be held on 30th April, 2023, respondent No.2 is required to proceed with the matter.

03] In these facts, it would be open for the petitioners to file their replies to the aforesaid notice by 17th April, 2023. The District

Deputy Registrar shall consider the said replies as filed and take decision thereon on 18th April, 2023. In case any order adverse to the petitioners is passed by respondent No.2, the same shall not take effect for a period of two weeks from the date of passing the said order. However, this direction would not affect the election process. Keeping all contentions open, the writ petition is disposed of in the aforesaid terms. No costs

04] Authenticated copy of this order be supplied to the parties to act upon.

(M.W. Chandwani, J.)

(A.S. Chandurkar, J.)

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