

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

WRIT PETITION NO.2442 OF 2023

Petitioners

- : 1. Mogra Seva Sahakari Sanstha Ltd., Mogra,
Registration No.1372, through its President,
Prafulla Madhavrao Raut, Age 55 Years,
Occu : Agriculturist,
R/o At Mogra, Post Bhankheda,
Tq. & Dist.. Amravati.
2. Nandgaon Peth Seva Sahakari Sanstha Ltd.,
Nandgaon Peth, Registration No.1,
Through its President,
Abhaykumarsinh Mansinh Chandel,
Age 50 Years, Occu : Agriculturist,
R/o Nandgaon Peth, Post Nandgaon Peth,
Tq. & Dist. Amravati.
3. Borgaon Dharmale Seve Sahakari Sanstha Ltd.,
Borgaon Dharmale, Registration No.303,
Through its President, Vijay Damodharrao
Dharmale, Age 56 years, Occu. Agriculturist,
R/o At Post Borgaon Dharmale,
Tq. & Dist.l Amravati.
4. Kumagarh Seva Sahakari Sanstha Ltd., Kumagarh,
Registration No.317, Through its President, Vikas
Himmatrao Deshmukh, Age 50 Years, Occu.
Agriculturist, R/o At Post Kumagarh, Tq. Bhatkuli,
Dist. Amravati.
5. Kamnapur Seva Sahakari Sanstha Ltd., Kamnapur,
Registration No.1181, Through its President,
Pravin Tryambakrao Bhugul,
Age 52 Years, Occu : Agriculturist,
R/o At Post Kamnapur, Tq. Bhatkuli, Dist.
Amravati.

6. Vathoda Shukleshwar Seva Sahakari Sanstha Ltd.,
Vithoda Shukleshwar Registration No.1208,
Through its President, Pushkar Pradiprao Nimkar,
Age 36 Years, Occu: Agriculturist,
R/o At Post Vithoda Shukleshwar,
Tq. Bhatkuli, Dist. Amravati.
7. Saur Seva Sahakari Sanstha Ltd. Saur,
Registration No.1075, Through its President,
Umesh Madhukarrao Wakode,
Age 45 Years, Occu. Agriculturist,
R/o At Post Saur, Tq. Bhatkuli, Dist. Amravati.
8. Takali Jahangir Seva Sahakari Sanstha Ltd.,
Takali Jahangir, Registration No.1341,
Through its President, Ismail Kha Ibrahim Kha
Pathan,
Age 60 Years, Occu. Agriculturist,
R/o At Post Takali Jahangir,
Tq. & Dist. Amravati.
9. Kundsarjapur Seva Sahakari Sanstha Ltd.,
Kundsarjapur, Registration No.1151,
Through its President, Sunil Gunvantrao Mankar,
Age 56 Years, Occu; Agriculturist,
R/o At Post Kundsarjapur, Post Haterna,
Tq. & Dist. Amravati.
10. Sukali Seva Sahakari Sanstha Ltd.,
Kundsarjapur, Registration No.1151,
Through its President, Sunil Gunvantrao Mankar,
Age 56 Years, Occu; Agriculturist,
R/o At Post Kundsarjapur, Post Haterna,
Tq. & Dist. Amravati.
11. Bhramhanvada Bhagat Seva Sahakari Sanstha Ltd.
Bhramhanvada Bhagat, Registration No.978,
Through its President,
Himmatrao Sheshrao Kitukale,
Age 62 Years, Occu; Agriculturist,
R/o At Bhramhanvada Bhagat, Post Antora,
Tq. & Dist. Amravati.

12. Borkhadi Vividh Karyakari Seva Sahakari Sanstha Ltd., Borkhadi, Registration No.1382, Through its President, Sanjay Sahabrao Deshmukh Age 55 Years, Occu; Agriculturist, R/o Budhagadh, Post Mhaispur, Tq. Bhatkuli, Dist. Amravati.

– Versus –

Respondents

- : 1. State of Maharashtra,
Through Commissioner/Registrar of Co-operative Society, Maharashtra State, Pune.
2. The District Deputy Registrar,
Co-operative Societies, Sahkar Sankul,
Kanta Nagar, Amravati, Tq. & Dist. Amravati.
3. Assistant Registrar,
Co-operative Societies, Sahkar Sankul,
Kanta Nagar, Amravati, Tah. and District Amravati.

Mr. P.S. Patil h/f Mr. P.A. Kadu, Advocate for the Petitioners.
Ms. N.P. Mehta, A.G.P for the Respondents.

CORAM: **A.S. CHANDURKAR AND M.W. CHANDWANI, JJ.**
DATE : **17th APRIL, 2023.**

ORAL JUDGMENT : *(Per A.S. Chandurkar, J.)*

Rule. Rule made returnable forthwith. Heard finally by consent of the learned Counsel for the parties.

02] The learned Assistant Government Pleader waives notice for the respondents.

03] The petitioners, which are the cooperative societies registered under the provisions of the Maharashtra Cooperative Societies Act, 1960, have been issued notices of liquidation under Section 102 of the said Act on 11/03/2023. The petitioners have filed replies to the said notices on 13/04/2023. It is apprehended that the order of liquidation could be passed at any time and, hence, the petitioners seek protection against any adverse order, which protection has been granted in various other writ petitions.

04] In view of the aforesaid, by following the orders passed in Writ Petition No.2109 of 2023, the following directions are issued:

ORDER

- i. It is open for respondent No.3 to consider the reply given by each Cooperative Society to the impugned 'Show Cause Notice' issued to them.
- ii. In case any order adverse to the societies is passed in view of the impugned 'Show Cause Notice', the same shall not take effect for a period of two weeks from the date of passing of such order. This direction will, however, not affect the election process.

iii. Keeping all contentions on merits open, the writ petition is disposed of in the aforesaid terms. Rule accordingly. No costs.

(M.W. CHANDWANI, J.)

(A.S. CHANDURKAR, J.)

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