



(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

903 WRIT PETITION NO. 7533 OF 2024

**PRABHAT SAHKARI GRAHAK SANSTHA LTD., THROUGH ITS
CHAIRMAN**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS**

....

Mr K. J. Suryawanshi, Advocate for Petitioner

Mr S. R. Yadav Lonikar, A.G.P. for Respondent No.1

Mr V. H. Dighe, Advocate for Respondent Nos.2 to 4

CORAM : RAVINDRA V. GHUGE

AND

Y. G. KHOBRAGADE, JJ.

DATE : 30th July, 2024

PER COURT:

1. The Petitioner 'Prabhat Sahakari Grahak Sanstha Ltd.'

has put forth prayer clauses (B) and (C), which read as under :-

“B) By issuing writ of mandamus, order or directions, the respondent no.2 to 4 may kindly be directed to complete the election process of managing committee of respondent no.5 Federation as per program published on 31.10.2022 from the stage where it was stayed on 1.11.2022, within stipulated period.

C) Pending hearing and final disposal of this writ petition the respondent no.2 to 4 may kindly be directed to complete the election process of managing committee of respondent no.5 Federation as per program published on 31.10.2022 from the stage where it was stayed on 1.11.2022 may kindly be stayed.”

(2)

2. We have considered the submissions of the learned Advocates for the respective sides.

3. Two Societies, which were de-registered, would have been members as voters of Respondent No.5/Maharashtra State Co-operative Consumers Federation Ltd. before us. On account of their de-registration, they moved Writ Petition No.3717/2022 along with Writ Petition No.3835/2022, before this Court at the Nagpur Bench. By an order dated 27/09/2022, the learned Single Judge directed status-quo to be maintained.

4. By the judgment dated 31/01/2024, Writ Petition No.3717/2022 was allowed. The orders of the Minister for Cooperation and the Divisional Joint Registrar, were set aside and the Divisional Joint Registrar was directed to decide the matter afresh within four months. We are informed that, extension of time has been sought by the Divisional Joint Registrar.

5. We are informed that, in the pending Writ Petition No.3835/2022, Contempt Petition No.285/2022 has been filed.

(3)

Notice has been issued by the learned Single Judge Bench on 10/11/2022. Shri. Dighe, the learned Advocate for Respondent Nos.2 to 4 is, therefore, seriously apprehensive that, any act to proceed with the election in the backdrop of the above fact situation, would be an act of disobedience. He, therefore, submits that, this Court may take cognizance of the notice issued in the Contempt Proceeding.

6. In view of the above, the learned Advocate for the Petitioner submits that, this Petition may be disposed off, as withdrawn by the Petitioner, since the Petitioner desires to appear before the Nagpur Bench of this Court in the pending matters, by filing an application for intervention, since the Petitioner is an aggrieved party.

7. In view of the above statement, **this Writ Petition is disposed off.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk