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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1559 OF 2024

Anees Ahmed Kamal Ahmed

... Petitioner

V/s.

Regional Deputy Commissioner
of Textiles & Ors.

... Respondents

Mr. N.R. Bubna i/by Ms. Pooja Malik for the petitioner.

Mr. P.G. Sawant, AGP for respondent Nos.1 & 2/State.

Mr. Mahendra N. Sandhyanshiv for respondent No.3.

CORAM : AMIT BORKAR, J.

DATED : MARCH 12, 2024

P.C.:

1. On perusal of the impugned order, it appears that in furtherance of the order passed by this Court, the Registrar was directed to adjudicate on the application dated 13 February 2023. However, by the impugned order, the Regional Deputy Commissioner of Textiles has equated such representation with the requirement under Rule 11 of the Maharashtra Cooperative Societies (Election to Committee) Rules, 2014.

2. If the inquiry as sought by the petitioner was not within the power of the Regional Deputy Commissioner, the Regional Deputy Commissioner ought to have transferred such inquiry to the appropriate officer having power. If the inquiry as sought by the

petitioner is within the purview of dispute under Section 91 of the Maharashtra Cooperative Societies Act, 1960 (“the said Act” for short), it will be open for the Regional Deputy Commissioner to relegate the petitioner to the dispute under Section 91 of the said Act. However, for the said purpose he will have to ascertain the averments and prayers in the representation dated 13 February 2023.

3. The writ petition, therefore, stands disposed of by directing the Regional Deputy Commissioner of Textile to pass appropriate orders on merits on the application dated 13 February 2023.
4. Such order shall be passed within three months from today.
5. No costs.

(AMIT BORKAR, J.)