

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

WRIT PETITION NO.13006 OF 2024

The Chairman / Secretary,
Shri Markandeya Sahakari Rugnalaya and
Research Centre, Solapur .. Petitioner

Vs.

The State of Maharashtra,
Through the Department of Co-operation,
Marketing and Textiles and Ors. .. Respondents

Mr. Sarang Satish Aradhya with Mr. Saarth Chordia and Mr. Shantanu Gurav, Advocates for the Petitioner.

Mr. N.C. Walimbe, Additional Government Pleader with Ms. Reena Salunkhe, Assistant Government Pleader for the Respondent-State of Maharashtra.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 20TH SEPTEMBER 2024

PC. :

1. It is submitted by the learned counsel for the petitioner that since the Society has not received any contribution towards share capital from the State Government, the 5th Proviso to Section 73AAA(2) of the Maharashtra Co-operative Societies Act, 1960 would not be applicable. On an earlier occasion, after this aspect was brought to the notice of the Deputy Registrar on 6th May 2024, no further steps were taken. However, by the impugned communication dated 26th August 2024, a non-government member has been nominated on the Society.
2. Issue notice to the respondents, returnable on 11th October 2024.

The learned Assistant Government Pleader waives notice for respondent nos.1 and 2.

3. Considering the prima facie case made out by referring to the Balance Sheet of the Society, there shall be ad-interim relief in terms of prayer clause (D) of the petition.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]