



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

WRIT PETITION NO.13089 OF 2024

Raigad District Central Co-Op.
Bank Limited & Anr.

.. Petitioners

Vs.

State of Maharashtra & Ors.

.. Respondents

WITH

INTERIM APPLICATION NO.13038 OF 2024

IN

WRIT PETITION NO.13089 OF 2024

Mahendra Dalvi

..Applicant

IN THE MATTER OF:

Raigad District Central Co-Op.
Bank Limited & Anr.

.. Petitioners

Vs.

State of Maharashtra & Ors.

.. Respondents

WITH

INTERIM APPLICATION NO.13040 OF 2024

IN

WRIT PETITION NO.13089 OF 2024

Bharatshet Gogawale

..Applicant

IN THE MATTER OF:

Raigad District Central Co-Op.
Bank Limited & Anr.

.. Petitioners

Vs.

State of Maharashtra & Ors.

.. Respondents

Mr. C. G. Gavnekar with Mr. Ashutosh Gavnekar, Mr. Rohit Parab, Advocates for the Petitioners.

Mr. A. Y. Sakhare, Senior Advocate with Mr. N. K. Rajpurohit, Assistant Government Pleader for the respondent-State.

Mr. Ashish Kamat, Senior Advocate with Mr. Saket Mone, Mr. Devansh Shah i/by Vidhii Partners, Advocates for the respondent no.5.

Mr. Saket Mone with Mr. Devansh Shah i/by Vidhii Partners, Advocates for the respondent no.6 and for applicant in IA/13038/24 & IA/13040/24.

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

DATE : 29TH NOVEMBER 2024.

P.C. :

1. Heard. The challenge raised in this writ petition is to the communication dated 5th September, 2024 issued by the Desk Officer, Ministry of Co-operation, Marketing & Textiles. By the said communication, it was directed that further steps for proceeding with the recruitment pursuant to the advertisement dated 11th May, 2022 shall remain stayed in view of the fact that the elections to the State Assembly were to be shortly held. The petitioner no.1-Co-operative Bank being aggrieved by this direction has challenged the same.

2. We have heard the learned counsel for the parties and we have perused documents on record. The learned counsel for the petitioners submits that since the State Assembly elections are now concluded, it would be necessary for the recruiting agency to proceed further with the process of recruitment. He therefore submits that appropriate directions be now issued.

3. The learned Senior Advocates appearing for the respondent nos.1 to 3 and 5 as well as the learned counsel appearing for

respondent no. 6 seek to draw attention to the Circular dated 23rd June 2022 as well as the Office order dated 12th March 2024 wherein reference has been made to six agencies who are permitted undertake the process of recruitment. It is urged that ignoring this Circular, the recruitment is under process.

4. We find from the impugned communication that it is only on account of the ensuing State Assembly elections that it was directed that the further process of recruitment be stayed. Since the said elections have now been held, it would be necessary for the Ministry of Co-operation, Marketing & Textiles to issue further directions in the matter of proceedings with the recruitment. Since the only reason mentioned in the impugned communication is the conduct of the said elections, we do not find it necessary at this stage to go into the contention raised by the respondents by relying upon the Government Resolution dated 26th March 2022 or the Circular dated 12th March 2022. The said aspect is required to be considered by the Ministry of Co-operation, Marketing & Textiles. Suffice it to observe that since the State Assembly elections have been held, a further decision would have to be taken by the said Department. Accordingly, it is directed that within a period of three weeks from today, necessary directions

shall be issued by the Ministry of Co-operation, Marketing & Textiles through its responsible Officer in the matter of conducting the said recruitment. With the aforesaid directions, the writ petition is disposed of. No costs. The pending interim applications are also disposed of.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]