

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

WRIT PETITION NO.14242 OF 2024

Sunil Dongre]
R/of Boudh Nagar, River Road,]
Pimpri, Pune – 411 017.] .. Petitioner

Versus

1. The Commissioner of Co-operation]
and Registrar of Co-operative Societies, Pune]
2. State of Maharashtra,]
Through Ministry of Co-operation, Mumbai] .. Respondents

Mr. Mandar Limaye with Mr. S.S. Bedekar, i/by Mr. Pankaj Thakur,
Advocates for the Petitioner.

Mr. B.V. Samant, Additional Government Pleader with Ms. Tanaya
Goswami, Assistant Government Pleader for the Respondents.

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

DATE : 17TH OCTOBER 2024.

ORAL JUDGMENT : { Per A.S. Chandurkar, J. }

1. Rule Rule made returnable forthwith and heard learned counsel for the parties.

2. The petitioner is aggrieved by the communication dated 10th August 2021 that has been issued by the Commissioner of Co-operation, Pune directing the Assistant Registrar (Audit) to take appropriate steps in accordance with Section 81 of the Maharashtra Co-operative Societies Act, 1960. The said direction includes initiation of appropriate proceedings by lodging a First Information Report.

3. It is submitted by the learned counsel for the petitioner that the basis for issuance of this direction is the Audit Report dated 6th August 2021. In Revision Application No.330 of 2022 that was filed for challenging the said audit report, the Hon'ble Minister, Co-operation on 31st May 2023 has quashed the said audit report. The petitioner therefore on 6th September 2024 made a request to the Commissioner for Co-operation to take the necessary steps and withdraw the directions issued on 10th August 2021. Since no step has been taken in the matter, the petitioner has approached this Court.

4. Having heard the learned counsel for the parties and having perused the documents on record, the interest of justice would be served by issuing following directions :-

- (a) The respondent no.1-Commissioner of Co-operation to take a decision on the petitioner's communication dated 6th September 2024 in the light of the order passed in Revision Application No.330 of 2022.
- (b) Such decision be taken on its own merits within a period of four weeks of receiving copy of the order. The decision taken be communicated to the petitioner.

(c) Needless to observe that if the petitioner is not satisfied with the outcome of the aforesaid exercise, he is free to seek appropriate legal recourse.

5. It is clarified that we have not examined the prayers on merits. Rule is disposed of in aforesaid terms.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]