



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 7842 OF 2022

Nagpur District Gittikhadan Labour Cooperative Societies Federation Ltd Vs. State of Maharashtra
and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. C.B. Dharmadhikari, Advocate for petitioner.
Mr.N.S. Rao, Assistant Government Pleader for respondent Nos. 1 to 3.

**CORAM : NITIN W. SAMBRE &
ABHAY J. MANTRI, JJ.**

DATED : 04-09-2024

The respondent No. 2 District Deputy Registrar
Cooperative Societies, Chandrapur in paragraph No. 4 of the
affidavit sworn on 21.8.2024 has stated as under:

“4. It would be relevant to state that the registration of Primary Gittikhadan Labour Co-operative Societies is done in accordance with the provisions of Clause-14 of the Circular dated 16.12.2008. The petitioner is registered only for the work allotted to the Gittikhadan Labour Co-operative Societies and relevant activities. By letter dated 15.9.2022 the answering respondent has already communicated the concerned agencies to allot work to the Primary Gittikhadan Labour Co-operative Societies as per Clause No. 14 of the Cooperation Commissioner’s Office Circular dated 6.12.2008”.

2. In view of above, in our opinion, the communication dated 15.9.2022 which is impugned in the present petition thereby instructing the Executive Engineer (Construction), Zilla Parishad, Chandrapur to allot work only on the basis of nature of title of the Society stood diluted in its entirety.

3. That being so, we deem it appropriate to dispose of the petition in view of the statement made on affidavit by respondent

No.2 that the instructions are already issued to allot the work to the petitioner Society. We further clarify that the work to be allotted to the petitioner Society shall be in accordance with its amended by-laws, which are approved by the Assistant Registrar and not shall any case be based on title of the society.

Corrected as per
order dtd
2.12.2024

4. That being so, it is worth to observe that even the administrative instructions, which are in the form of guidelines mentioned in the Circular dated 06.12.2008, shall not cause impediment in the matter of allotment of work to the petitioner – Society pursuant to the amended by-laws duly approved by competent statutory authority.

5. As such, the petition stands partly allowed in above terms.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

R.S.Belkhede, PA.