



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

WRIT PETITION NO. 2008 OF 2024

Akola Amravati Buldhana, Washim Zilla Jangal Kamgar
Sahakari Sanstha Cha Sangh Maryadit, Akola and another
-Vs.-

Divisional Joint Registrar, Cooperative Societies, Amravati and another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.I.N.Choudhari, counsel for the petitioners.
Mrs.Mrunal Naik, AGP for the respondents-State.

CORAM : B. P. DESHPANDE, J.

DATE : 26TH MARCH, 2024

Heard the learned counsel for the petitioners.

2. The order impugned in the present petition is dated 13/03/2024 passed under section 79(2) of the Maharashtra Cooperative Societies Act by respondent No.1.

3. It is the contention of the learned counsel for the petitioners that the the order directing the petitioners to handover the charge of the Secretary to the respondent No.2 is without jurisdiction and also violating the principles of natural justice. He would submit that respondent No.1 is having limited powers under section 79(1) of the Maharashtra Cooperative Societies Act in connection with filing of returns and statements of the society. However, the impugned order herein is the direction to handover charge of the post of Secretary within a period of seven days.

4. By placing reliance in the case of **Maitri Park**

Cooperative Housing Society Ltd., Mumbai v. Virendra Khanna and others, reported in **2019 (1) Mh.L.J. 109**, the learned counsel for the petitioners submits that the power is administrative in nature and that too with regard to the statements and accounts.

5. Issue notice to the respondents, returnable on 22/04/2024.

4. Learned Assistant Government Pleader Mrs.Mrunal Naik waives notice on behalf of respondent No.1.

6. Apart from regular service, service by other mode is permitted.

7. In the meantime, the directions issued by the respondent No.1 are stayed till the next date.

JUDGE