**IN THE HIGH COURT OF KARNATAKA,
DHARWAD BENCH**

**DATED THIS THE 19TH DAY OF DECEMBER, 2024**

**BEFORE
THE HON'BLE MR. JUSTICE C.M. POONACHA**

**WRIT PETITION NO.106890 OF 2024 (CS-RES)
C/W
WRIT PETITION NO. 106752 OF 2024
WRIT PETITION NO. 106871 OF 2024
WRIT PETITION NO. 106873 OF 2024
WRIT PETITION NO. 106878 OF 2024
WRIT PETITION NO. 106888 OF 2024
WRIT PETITION NO. 106893 OF 2024
WRIT PETITION NO. 106958 OF 2024**

**IN WP.NO.106890/2024:**

**BETWEEN:**

VYAVASAYA SEVA SAHAKARI
SAMGH NI HALETORAGAL,
TQ: RAMDURG, DIST: BELAGAVI,
REP. BY ITS PRESIDENT
PATTESINGH
S/O. MANISINGHRAO JAGATAP.

...PETITIONER

(BY SRI K. L. PATIL, ADVOCATE)

Digitally signed by
VISHAL
NINGAPPA
PATTIHAL
Location: High
Court of Karnataka

**AND:**

1. THE JOINT REGISTRAR
OF CO OP SOCIETIES,
BELAGAVI REGION, NO.5,
UDAYA BUILDING,
S.P.M. ROAD, SHAHAPUR,
BELAGAVI – 590 001.

2. THE GENERAL MANAGER,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

3. THE PRESIDENT,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

4. THE CHIEF EXECUTIVE OFFICER,
THE BELGAUM DCC BANK LTD.,
OLD POONA-BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

…RESPONDENTS

(BY SRI MALA D. BHUTE, AGA FOR R1;
SRI B. ANAND SHETTY, ADVOCATE FOR R3;
SRI K. ANANDKUMAR, ADVOCATE FOR R4;
NOTICE TO R2 IS SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, ISSUE WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE DIRECTION TO THE RESPONDENT NO.2 BANK TO IMPLEMENT THE ORDER BEARING NO. JRL/B/DAP/04/2023-24 DATED 29-07-2024 PASSED BY THE RESPONDENT NO.1 VIDE ANNEXURE-D TO ADMIT THE PETITIONER SOCIETY AS ITS MEMBER FROM THE DATE OF DEPOSITING OF THE MEMBERSHIP FEES (08/03/2003 VIDE ANNEXURE-B) AND ETC.,

**IN WP.NO.106752/2024:**

**BETWEEN:**

VYAVASAYA SEVA SAHAKARI
SAMGH NI SUREBAN,
TQ: RAMDURG,
DIST: BELAGAVI – 591 127,
REP. BY ITS PRESIDENT

…PETITIONER

(BY SRI K. L. PATIL, ADVOCATE)

**AND:**

1. THE JOINT REGISTRAR OF
CO OP SOCIETIES,
BELAGAVI REGION, NO.5,
UDAYA BUILDING,

S.P.M. ROAD, SHAHAPUR,
BELAGAVI – 590 001.

2. THE CHIEF EXECUTIVE,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

3. THE PRESIDENT,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

…RESPONDENTS

(BY SRI MALA D. BHUTE, AGA FOR R1;
SRI B. ANAND SHETTY, ADVOCATE FOR R3;
NOTICE TO R2 IS SERVED)

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**IN WP.NO.106871/2024:**

**BETWEEN:**

VYAVASAYA SEVA SAHAKARI
SAMGH NI UDAPUDI,
TQ: RAMDURG – 598 313,
DIST: BELAGAVI,
REP. BY ITS PRESIDENT
SIDRAMESHWARGOUDA
S/O. BASANAGOUD PATIL

…PETITIONER

(BY SRI K. L. PATIL, ADVOCATE)

**AND:**

1. THE JOINT REGISTRAR
OF CO OP SOCIETIES,
BELAGAVI REGION, NO.5,
UDAYA BUILDING,
S.P.M. ROAD, SHAHAPUR,
BELAGAVI – 590 001.

2. THE GENERAL MANAGER,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

3. THE PRESIDENT,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

4. THE CHIEF EXECUTIVE OFFICER,
THE BELGAUM DCC BANK LTD.,
OLD POONA-BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

…RESPONDENTS

(BY SRI MALA D. BHUTE, AGA FOR R1;
SRI B. ANAND SHETTY, ADVOCATE FOR R3;
SRI K. ANANDKUMAR, ADVOCATE FOR R4;
NOTICE TO R2 IS SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, ISSUE WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE DIRECTION TO THE RESPONDENT NO.2 BANK TO IMPLEMENT THE ORDER BEARING NO. JRL/B/DAP/05/2023-24 PASSED BY THE RESPONDENT NO.1 VIDE ANNEXURE-D TO ADMIT THE PETITIONER SOCIETY AS ITS MEMBER FROM THE DATE OF DEPOSITING OF THE MEMBERSHIP FEES (08/03/2003 VIDE ANNEXURE-B) AND ETC.,

**IN WP.NO.106873/2024:**

**BETWEEN:**

VYAVASAYA SEVA SAHAKARI
SAMGH NI NANDIHALI,
TQ: RAMDURG, DIST: BELAGAVI – 598 313,
REP. BY ITS PRESIDENT
RAMAPPA S/O. LAXMAPPA BIDAKI.

…PETITIONER

(BY SRI K. L. PATIL, ADVOCATE)

**AND:**

1. THE JOINT REGISTRAR OF
CO OP SOCIETIES,
BELAGAVI REGION, NO.5,
UDAYA BUILDING,
S.P.M. ROAD, SHAHAPUR,
BELAGAVI – 590 001.

2. THE GENERAL MANAGER,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

3. THE PRESIDENT,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

4. THE CHIEF EXECUTIVE OFFICER,
THE BELGAUM DCC BANK LTD.,
OLD POONA-BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

…RESPONDENTS

(BY SRI MALA D. BHUTE, AGA FOR R1;
SRI B. ANAND SHETTY, ADVOCATE FOR R3;
SRI K. ANANDKUMAR, ADVOCATE FOR R4;
NOTICE TO R2 IS SERVED)

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SOCIETY AS ITS MEMBER FROM THE DATE OF DEPOSITING OF THE MEMBERSHIP FEES (08/03/2003 VIDE ANNEXURE-B) AND ETC.,

**IN WP.NO.106878/2024:**

**BETWEEN:**

VYAVASAYA SEVA SAHAKARI
SAMGH NIYAMIT GHATAKNUR, TQ: RAMDURG,
DIST: BELAGAVI – 598 313,
REP. BY ITS PRESIDENT
SRI GURAPPA SANGAPPA VAJRAMATTI.

…PETITIONER

(BY SRI K. L. PATIL, ADVOCATE)

**AND:**

1. THE JOINT REGISTRAR OF CO OP SOCIETIES,
   BELAGAVI REGION, NO.5, UDAYA BUILDING,
   S.P.M. ROAD, SHAHAPUR,
   BELAGAVI – 590 001.

2. THE GENERAL MANAGER,
   THE BELGAUM DCC BANK LTD.,
   OLD POONA BANGALORE ROAD,
   NEAR CENTRAL BUS STAND,
   BELAGAVI – 590 001.

3. THE PRESIDENT,
   THE BELGAUM DCC BANK LTD.,
   OLD POONA BANGALORE ROAD,
   NEAR CENTRAL BUS STAND,
   BELAGAVI – 590 001.

4. THE CHIEF EXECUTIVE OFFICER,
   THE BELGAUM DCC BANK LTD.,
   OLD POONA-BANGALORE ROAD,
   NEAR CENTRAL BUS STAND,
   BELAGAVI – 590 001.

…RESPONDENTS

(BY SRI MALA D. BHUTE, AGA FOR R1;
SRI B. ANAND SHETTY, ADVOCATE FOR R3;
SRI K. ANANDKUMAR, ADVOCATE FOR R4;
NOTICE TO R2 IS SERVED)

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**IN WP.NO.106888/2024:**

**BETWEEN:**

VYAVASAYA SEVA SAHAKARI
SAMGH NI KITTUR – 591 127,
DIST: BELAGAVI,
REP. BY ITS PRESIDENT
SIDDAPPA
S/O. MUDAKAPPA MUDENUR.

…PETITIONER

(BY SRI K. L. PATIL, ADVOCATE)

**AND:**

1. THE JOINT REGISTRAR OF
   CO - OP SOCIETIES,
   BELAGAVI REGION, NO.5,
   UDAYA BUILDING,
   S.P.M. ROAD, SHAHAPUR,
   BELAGAVI – 590 001.

2. THE GENERAL MANAGER,
   THE BELGAUM DCC BANK LTD.,
   OLD POONA BANGALORE ROAD,
   NEAR CENTRAL BUS STAND,
   BELAGAVI – 590 001.

3. THE PRESIDENT,
   THE BELGAUM DCC BANK LTD.,
   OLD POONA BANGALORE ROAD,
   NEAR CENTRAL BUS STAND,
   BELAGAVI – 590 001.

4. THE CHIEF EXECUTIVE OFFICER,
   THE BELGAUM DCC BANK LTD.,

OLD POONA-BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

…RESPONDENTS

(BY SRI MALA D. BHUTE, AGA FOR R1;
SRI B. ANAND SHETTY, ADVOCATE FOR R3;
SRI K. ANANDKUMAR, ADVOCATE FOR R4;
NOTICE TO R2 IS SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, ISSUE WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE DIRECTION TO THE RESPONDENT NO.2 BANK TO IMPLEMENT THE ORDER BEARING NO. JRL/B/DAP/06/2023-24 DATED 29.07.2024 PASSED BY THE RESPONDENT NO.1 VIDE ANNEXURE-D TO ADMIT THE PETITIONER SOCIETY AS ITS MEMBER FROM THE DATE OF DEPOSITING OF THE MEMBERSHIP FEES (08/03/2003 VIDE ANNEXURE-B) AND ETC.,

**IN WP.NO.106893/2024:**

**BETWEEN:**

VYAVASAYA SEVA SAHAKARI
SAMGH NI NARASAPUR,
TQ: RAMDURG,
DIST: BELAGAVI – 591 130,
REP. BY ITS PRESIDENT
VENKANAGOUDA
S/O. BASANAGOUDA PATIL.

…PETITIONER

(BY SRI K. L. PATIL, ADVOCATE)

**AND:**

1. THE JOINT REGISTRAR OF
CO OP SOCIETIES,
BELAGAVI REGION, NO.5,
UDAYA BUILDING,
S.P.M. ROAD, SHAHAPUR,
BELAGAVI – 590 001.

2. THE GENERAL MANAGER,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,

BELAGAVI – 590 001.

3. THE PRESIDENT,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

4. THE CHIEF EXECUTIVE,
THE BELGAUM DCC BANK LTD.,
OLD POONA-BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

…RESPONDENTS

(BY SRI MALA D. BHUTE, AGA FOR R1;
SRI B. ANAND SHETTY, ADVOCATE FOR R3;
SRI K. ANANDKUMAR, ADVOCATE FOR R4;
NOTICE TO R2 IS SERVED)

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**IN WP.NO.106958/2024:**

**BETWEEN:**

VYAVASAYA SEVA SAHAKARI
SAMGH NIYAMIT TURANUR,
TQ: RAMDURG – 591 123,
DIST: BELAGAVI,
REP. BY ITS PRESIDENT
LAXMAN S/O. BASAPPA MALI.

…PETITIONER

(BY SRI K. L. PATIL, ADVOCATE)

**AND:**

1. THE JOINT REGISTRAR OF
CO OP SOCIETIES,

BELAGAVI REGION, NO.5,
UDAYA BUILDING,
S.P.M. ROAD, SHAHAPUR,
BELAGAVI – 590 001.

2. THE GENERAL MANAGER,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

3. THE PRESIDENT,
THE BELGAUM DCC BANK LTD.,
OLD POONA BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

4. THE CHIEF EXECUTIVE OFFICER,
THE BELGAUM DCC BANK LTD.,
OLD POONA-BANGALORE ROAD,
NEAR CENTRAL BUS STAND,
BELAGAVI – 590 001.

…RESPONDENTS

(BY SRI MALA D. BHUTE, AGA FOR R1;
SRI B. ANAND SHETTY, ADVOCATE FOR R3;
SRI K. ANANDKUMAR, ADVOCATE FOR R4;
NOTICE TO R2 IS SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, ISSUE WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE DIRECTION TO THE RESPONDENT NO.2 BANK TO IMPLEMENT THE ORDER BEARING NO. JRL/B/DAP/09/2023-24 DATED 29.07.2024 PASSED BY THE RESPONDENT NO.1 VIDE ANNEXURE-D TO ADMIT THE PETITIONER SOCIETY AS ITS MEMBER FROM THE DATE OF DEPOSITING OF THE MEMBERSHIP FEES (08/03/2003 VIDE ANNEXURE-B) AND ETC.,

THESE PETITIONS, COMING ON FOR PRELIMINARY HEARING - B GROUP, THIS DAY, THE COURT MADE THE FOLLOWING:

CORAM: THE HON'BLE MR. JUSTICE C.M. POONACHA

**ORAL ORDER**

(PER: THE HON'BLE MR. JUSTICE C.M. POONACHA)

The present writ petitions are filed to issue a writ of mandamus to the 2nd respondent/Bank to implement the order dated 29.07.2024 passed by the 1st respondent/Joint Registrar.

2. Learned counsel for the respondents filed a memo along with documents and submits that pursuant to the said order dated 29.07.2024, the 4th respondent/Bank has filed appeals on 22.11.2024 under Section 106(n) and (2) (c) of the Karnataka Co-operative Societies Act, 1959[1] before the Additional Registrar Co-operative Societies, Bengaluru.

3. Learned counsel for the petitioner submits that only photocopies of the appeal memos has been given and there is no number of the appeals.

4. However, it is forthcoming that along with the memos, the learned counsel for the 4th respondent/Bank has placed on record a copy of the acknowledgments for the appeals having been filed.

[1] Hereinafter referred to as the 'Act'

5. In view of the aforementioned, having regard to the fact that the 4th respondent/Bank has placed material on record to demonstrate that the appeals have been filed pursuant to the order dated 29.07.2024, the above appeals are disposed of reserving liberty to the petitioners to seek for reopening of the present petitions in the event, the appeals are not filed.

**Sd/-**
**(C.M. POONACHA)**
**JUDGE**

PMP/CT-ASC
List No.: 1 Sl No.: 68