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46-WP-3477-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

46 WRIT PETITION NO. 3477 OF 2025

Gangasagar Sahkari Gruhnirman Sanstha Ma. Nakshatrawadi Through
Its Chairman

VERSUS

The State Of Maharashtra Through Chief Secretary And Others

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Mr.Santosh A Gaikwad And Sopan P Bhadge, Advocate for the Petitioner.
Mr. P. P. Dawalkar, AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 17th MARCH 2025

PC :-

1. Heard the learned Advocate for the petitioner and the learned AGP for Respondent-State.
2. Order under challenge is only a notice directing the petitioner to produce the record of the society by the learned Assistant Registrar, Co-operative Societies Taluka Gangapur. Record is called for inspection by the authority. The first notice is dated 17th January 2025 and the second notice is dated 13th February 2025. Pursuant to the earlier notice for producing the office record of the society. In the second notice it is stated

that if there is failure on the part of the petitioner to produce the record, the authority would be constrained to take action under Section 18 of the Maharashtra Co-operative Societies Act, 1960.

3. The learned AGP, at the outset, raises the preliminary objection that there is no order as such passed by the authority, both the orders which are under challenge are only the communications calling for record from the society. There is no judicial or quasi-judicial order passed by any authorities which is under challenge. He, thus, submits that present petition is not maintainable.

4. Considering above, this Court finds that no case is made out calling for interference with the communication which are issued as noted above for inspection and the record of the society. Society is bound to produce such record. This Court does not find any reason to interfere with the communication. Petition is, therefore, dismissed. No order as to costs.

[KISHORE C. SANT, J.]