



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**915 PUBLIC INTEREST LITIGATION NO. 26 OF 2012
WITH WRIT PETITION NO. 2785 OF 2010
WITH WRIT PETITION NO. 8855 OF 2021**

**JYOTIRAM JANAKRAJ SHINDE
VERSUS
THE STATE OF MAH AND ORS**

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Sr. Advocate for the Petitioner : Mr. Salunke V. D.
AGP for Respondents/State : Mr. S.D. Ghayal
Advocate for Resp. No.23 : Mr. H.B. Nandagavale h/f. V.G. Sakolkar

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**CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.
DATE : 5th August, 2025**

PC. :-

1. Today three proceedings are on board, PIL No.26/2012, Writ Petition No.2785/2010 and Writ Petition No.8855/2021.
2. The learned counsel appearing in the PIL as also the learned counsel representing the Petitioners in Writ Petition No.2785/2010 submit that in the light of events that have occurred during the pendency of these proceedings, the main relief sought in the PIL as well the said Writ Petition has worked itself out.

3. A perusal of the papers shows that in the PIL as well as Writ Petition No.2785/2010, the concern of the Petitioner was with regard to the affairs of a Co-operative Sugar Factory, Jai Jawan Jai Kisan Sahakari Sakhar Karkhana Limited, Nalegaon, Tq. Chakur, District Latur. The Petitioners in these proceedings sought an inquiry under Section 83 of the Maharashtra Co-operative Societies Act, 1960 as also an inquiry to be conducted under Section 88 thereof with consequent action being taken in the matter.

4. By an order dated 26.02.2020 passed in Writ Petition No.2785/2010, a Division Bench of this Court directed an inquiry to be conducted under Section 88 of the said Act. We are informed that such an inquiry was conducted and it resulted in an inquiry report and consequent proposed action. The same was challenged by the affected parties before the concerned Minister as per the provisions of the said Act. We are informed that the Minister of the State of Maharashtra passed an order remanding the matter. The said order is subject matter of challenge in Writ Petition No.8855/2021.

5. In view of the said subsequent events, the Petitioners in the PIL as well as the Writ Petition No.2785/2010 submit that the said proceedings are rendered infructuous as the main relief sought in these

petitions has worked itself out and the consequent proceedings are pending before this Court in the form of Writ Petition No.8855/2021.

6. In the PIL, the learned counsel appearing for the Petitioner submits that an additional prayer was made seeking a direction to Respondent Nos.1 to 3 not to auction or sell the concerned sugar factory and to take steps for its rehabilitation by giving it on lease etc. We are informed that as on today there is a Liquidator appointed on the said sugar factory. In that light, it is submitted while disposing the PIL, this Court may consider reserving liberty to file a proceeding in the future if a cause of action arises in the context of the said additional prayer made in the PIL.

7. In the light of the statement made on behalf of the Petitioners in the PIL, the same is disposed of as having become infructuous, reserving liberty for initiating a fresh proceeding in future if cause of action arises for prayer clause-C in the PIL. For the same reasons, Writ Petition No.2785/2010 is also disposed of as infructuous.

8. In so far as Writ Petition No.8855/2021 is concerned, since it arises out of orders passed in quasi judicial jurisdiction, the same should lie before a learned Single Judge of this Court.

9. Accordingly, the Registry shall list Writ Petition No.8855/2021 before the appropriate bench.

[Y.G. KHOBRAGADE, J.]

[MANISH PITALE, J.]