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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3226 OF 2025

Ahirwadi Seva Cooperative Society Ltd. & Anr. .. **Petitioners**

Versus

Namdev Yashwant Yadav & Ors. .. **Respondents**

Mr. Abhijeet P. Rane a/w Swarta Suryawnashi for petitioner.
Mr. Tejas J. Kapre, AGP for respondent nos.2 to 4.

CORAM: ALOK ARADHE, CJ. &
BHARATI DANGRE, J.

DATE: 10th MARCH, 2025

ORDER [Per Chief Justice]:

1. Rule. Rule is made returnable forthwith. With the consent of the learned counsel for the parties, heard finally.

2. In this petition filed under Article 226 of the Constitution of India, the petitioner has assailed the validity of the order dated 24th May, 2023 passed by the District Deputy Registrar, Cooperative Societies, by which an auditor has been appointed for trial audit of the loan accounts of the petitioner-society.

3. Facts giving rise to filing of this petition, in nutshell, are that respondent no.1 had taken loan of Rs. 2,50,000/- (Rupees Two Lakh Fifty Thousand only) from the petitioner-society at the rate of 13.50% interest. The respondent no.1

did not repay the amount of loan and filed a complaint with Divisional Joint Registrar, Cooperative Societies. The respondent no.1 again filed a complaint on 31st January, 2023. The District Deputy Registrar by an order dated 24th May, 2023 appointed an auditor for trial audit.

4. Being aggrieved, the petitioner preferred a revision which was dismissed on 20th December, 2024 by the Divisional Joint Registrar, Cooperative Societies. Hence, this writ petition.

5. Learned counsel for the petitioner was unable to point out that the impugned order dated 24th May, 2023 appointing an auditor has been passed in violation of any statutory provisions. However, it is submitted by him that petitioner had filed an objection before the auditor which auditor has not considered. Therefore, in the facts and circumstances of the case, we deem it appropriate to dispose of the writ petition with a direction to the auditor to consider the objection, if any preferred by the petitioner while conducting the audit.

6. Accordingly, writ petition is disposed of with a direction to the auditor to consider the objection, if any, preferred by the petitioner while conducting the audit.

7. It is made clear that this Court has not expressed any opinion on merits of the case.

(BHARATI DANGRE, J.) **(CHIEF JUSTICE)**