

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4296 OF 2025

Shivanand Sidramappa Patil and Ors. .. Petitioners

Vs.

The State of Maharashtra,
Through Department of Co-operation and Ors. .. Respondents

Mr. Sarang S. Aradhye with Mr. Shantanu Gurav and Ms. Gauri Velankar,
Advocates for the Petitioners.

Smt. S.S. Bhende, Assistant Government Pleader for Respondent Nos.1 to
3.

Mr. Mandar Limaye, Advocate for Respondent No.4.

CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ

DATE : 1ST APRIL 2025.

PC. :

1. The only prayer made by the petitioners is for a direction to be issued to the respondent no.3 – Divisional Joint Registrar, Co-operative Societies, Pune to consider the application for interim relief that has been moved by the petitioners in the appeal that has been filed under Section 152 of the Maharashtra Co-operative Societies Act, 1960. In the said appeal, a challenge is raised to the order dated 13th February 2025 passed under Section 77-A of the said Act. It is submitted that despite taking steps for conduct of fresh elections, such power has been exercised.

2. Considering the fact that the petitioners' appeal is pending, it is directed that the respondent no.3 shall consider the prayer for interim relief within a period of ten days of receiving copy of this order. By clarifying that all aspects on merits are kept open and the proceedings be decided on their own merits, the writ petition is disposed of.

3. If the charge of the affairs of the Co-operative Society are not taken over by the Administrator till date, such charge shall not be taken till the prayer for interim relief is considered. This direction is without entering into the merits of the case.
4. Parties to act on the authenticated copy of this order.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]