

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 93 OF 2015

Balwant Tamanna Savale & Ors. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents

Mr. Ishaan Kapse for the Petitioners.

Mr. A.A. Naik, A.G.P. for the Respondent-State.

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : 9th October 2025.

P. C. :

1. This PIL Petition sought a direction to the Respondent Nos.1 to 5 to hold an enquiry in respect of misappropriation and embezzlement of funds of depositors and account holders of Respondent No.6-Society by the directors of the Respondent No.6-Society.
2. The Petitioners who are the depositors of the Respondent No.6-Society seeks action to be initiated against the directors of the Respondent No.6-Society and also launching of criminal proceedings for purported misappropriation and embezzlement of funds.

3. An Affidavit-in-Reply has been filed by the Assistant Registrar, Co-operative Societies, Madha, District Solapur on 19th October 2016. We have gone through the Affidavit-in-Reply. The deponent has stated that the Respondent No.3 has taken statutory action under Section 78 of the Maharashtra Co-operative Societies Act, 1960 and the administrator was appointed. The test audit was conducted of the Respondent No.6-Society from 1996 to 2009 pursuant to which F.I.R. was lodged against 81 directors, employees and their relatives. The Affidavit further states that statutory action under Section 102 of the Maharashtra Co-operative Societies Act, 1960 and Rules of 1961 was taken and liquidator came to be appointed on the Respondent No.6-Society.

4. In paragraph No.12 of the Affidavit-in-Reply it is stated that the administrator and the liquidator recovered an amount of Rs.8.79 crores from 2866 defaulters and has repaid amount of Rs.15.79 crores to the depositors.

5. We are satisfied from the Affidavit-in-Reply filed by the Respondent No.3 that appropriate action as required under law has been taken by the Respondent No.3.

6. The grievance which society raised in the present PIL Petition is redressed as indicated from the Affidavit-in-Reply, as necessary action has been initiated which was sought by the Petitioners. We do not propose

to keep this PIL Petition pending any further.

7. By accepting the averments which are made in the Affidavit-in-reply of the Respondent No.3, the PIL Petition stands disposed of.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik, J.]

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