

Sarang Bharat Ghadge and ors. ..Petitioners  
vs.  
The Cooperative Minister,  
State of Maharashtra and ors. ..Respondents

Adv. Dilip Bodake a/w Adv. Shraddha Pawar, for Respondent  
Nos.2 to 4.

**DATE : 25<sup>th</sup> JULY, 2025**

2. By this Petition the Petitioner seeks a direction to Respondent No.1 to expeditiously decide the stay application in Revision Application filed by the Petitioner Nos.1 and 2. The Petitioners were members of the Managing Committee of the Respondent No.7-Society duly elected in the elections held in the year 2021-22. The tenure of the Managing Committee was to end in February

2027. In 2023 five members of the Managing Committee resigned. A complaint was filed against these three Petitioners and pursuant to an order dated 7<sup>th</sup> November 2023 passed by the Assistant Registrar under Section 78A of the Maharashtra Co-operative Societies Act, 1960 the Petitioners came to be disqualified. The Petitioners filed the Revision before the Divisional Joint Registrar. By an order dated 17<sup>th</sup> March 2025 the Divisional Joint Registrar confirmed the order of disqualification. The Petitioners filed Revision before the Hon'ble Minister along with stay application.

**3.** Learned counsel for the Petitioners submits that the Hon'ble Minister by order dated 4<sup>th</sup> June 2025 has stayed the disqualification of Petitioner No.3, however, the Hon'ble Minister has not passed any order on the application for stay made by the Petitioner Nos.1 and 2 though they are absolutely similarly situated and for the very same reason the Petitioner Nos.1 and 2 were disqualified. In such circumstances, in our opinion, there was no reason why the stay granted to the Petitioner No.3

should not be applied in case of the Petitioner Nos.1 and 2 herein as well at least till the application for stay is heard and decided by the Hon'ble Minister. Accordingly, the order of the Assistant Registrar dated 7<sup>th</sup> November 2023 disqualifying the Petitioner Nos.1 and 2 is stayed till the hearing of the application for stay by the Hon'ble Minister. The Hon'ble Minister is requested to hear and decide the application for stay as expeditiously as possible and preferably within a period of 12 weeks from 30<sup>th</sup> July 2025 when the Petitioners will remain present before the Hon'ble Minister at 3:00 p.m. along with the copy of this order.

**4.** In the meantime, the elections to the Society were duly held and even the results were declared. However, the elected body has not taken the charge. The Hon'ble Minister will then have to consider the effect of the stay of the disqualification of the Petitioners. To enable the Petitioners to make an appropriate application before the Hon'ble Minister impleading the members of the Managing Committee as party Respondents and seek appropriate reliefs, for a period of two weeks from today the

Administrator to continue and the charge not to be handed over to newly elected Managing Committee.

**5.** It is open for the Petitioners to raise all challenges including the validity of the elections.

**6.** The Writ Petition is disposed of.

**(N. R. BORKAR, J.)**

**(M. S. KARNIK, J.)**