

Jvs.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 7139 OF 2024
IN
WRIT PETITION NO. 2090 OF 2024**

Vijay Shamrao More & Ors.	}	Applicants
In the matter between		
Sandip Hanmant Jadhav & Ors.	}	Petitioners
Versus		
State Co-op. Election Authority	}	
& Ors.	}	Respondents

Mr. Tanaji Mahatugade for applicants.

Mr. Manoj Patil for petitioners.

Mr. Dilip Bodke for respondents 1 and 2.

Ms. Neha S. Bhide, Government Pleader with Mr. O. A. Chandurkar, Additional Government Pleader and Ms. Tanu N. Bhatia, AGP for respondent no. 3.

Mr. Vishwesh Gadage i/b. Mr. Chetan G. Patil for respondent no. 4 in writ petition.

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

DATE: JANUARY 28, 2025

P.C.:

- 1.** Heard the interim application.
- 2.** The petitioners are elected Directors of respondent no. 4 Society in an election which was held on 16th March 2022. Three of the directors were disqualified on 25th March 2023 and other four directors resigned on 16th June 2023. The Assistant Registrar, by an order dated 24th July 2023, appointed an Administrator.

3. The aforesaid order was challenged before the Joint Registrar, who remitted the matter to the Assistant Registrar and directed him to take a fresh decision. In pursuance thereof, the petitioner no. 7 was appointed as director on 24th November 2023 to fill up the vacancy by invoking the provisions of section 77A of the Maharashtra Co-operative Societies Act. Presently, seven persons are occupying the post of directors in the Society. However, the District Co-operative Election Officer intended to conduct fresh election, whereupon, the petitioners approached this Court by filing the instant writ petition.

4. The instant writ petition has been entertained on 15th February 2024 and an interim order has been granted on the ground that the terms of the directors, namely, petitioner nos. 1 to 6 is to expire on 15th March 2027. In this writ petition, the instant application for intervention has been filed. The proposed interveners are members of the Society.

5. Learned counsel for the proposed interveners submitted that the members of the Society want election to be held.

6. In the aforesaid facts and circumstances of the case and since the proposed interveners are members of the Society, we deem it appropriate to grant them an opportunity of being heard.

7. Accordingly, the interim application is allowed.

8. Learned counsel for the petitioners shall incorporate the necessary amendment by impleading the applicants as party respondents within a period of one week. Reverification is dispensed with.

9. Learned counsel for the petitioners is also granted liberty to move an application seeking amendment on the ground of subsequent development.

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by JAYANT
VISHWANATH
SALUNKE
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(BHARATI DANGRE, J.)

(CHIEF JUSTICE)