

VRJ

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2488 OF 2025

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RAMESH
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Pramila Sopan Parkhe

... Petitioner

V/s.

State of Maharashtra,

Through Government Pleader, Appellate

Side & Ors.

... Respondents

Mr. Nitin Parkhe with Preet Vora i/by Arun Panickar for
the petitioner.

Ms. Kavita N. Solunke, AGP for the State-respondent
Nos.1 and 2.

CORAM : AMIT BORKAR, J.

DATED : MARCH 24, 2025

P.C.:

1. Respondent No.2 has filed an affidavit-in-reply, wherein it has been averred that pursuant to the directions issued by this Court vide order dated 25th February 2025, the Administrator appointed to oversee the affairs of the Society has taken necessary steps for conducting the election to the Managing Committee of the said Society for the term 2024–25 to 2029–30. In compliance with the said directions, the Administrator has caused the publication of the preliminary voters' list in accordance with the prescribed procedure. It is further submitted that, as per the schedule drawn in consonance with the Maharashtra Cooperative

Societies (Election to Committee) Rules, 2014, the final voters' list shall be published on 28th March 2025. This action demonstrates compliance with the statutory mandate and the directions issued by this Court.

2. It was sought to be contended by the learned advocate for the petitioner that the voters' list as published by the Administrator is not in conformity with the provisions of the Maharashtra Cooperative Societies (Election to Committee) Rules, 2014. However, this Court is not inclined to adjudicate upon the said objection in the present writ petition at this stage, as the grievance pertains to the election process which is yet underway and for which a specific statutory mechanism is provided. The said objection, being procedural in nature and pertaining to the preparation of the voters' list, can be raised at the appropriate stage before the competent authority designated under the Rules of 2014. The petitioner shall be at liberty to avail of such remedy in accordance with law, if so advised.

3. In view of the above compliance, it is directed that the Administrator shall, upon publication of the final voters' list, proceed to conduct the election to the Managing Committee of the Society in accordance with law and complete the entire election process expeditiously. Upon the culmination of the election process, the Administrator shall hand over charge of the affairs of the Society to the newly elected Managing Committee, in accordance with the provisions of the Maharashtra Cooperative Societies Act, 1960 and the Rules framed thereunder. With the aforesaid clarification and direction, the writ petition stands

disposed of. There shall be no order as to costs.

4. Pending interlocutory application(s), if any, stand disposed of.

(AMIT BORKAR, J.)