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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5418 OF 2025

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Babasaheb Bhimrao Magdum & Ors. ... Petitioners

V/s.

Union of India, through it's Secretary
to Ministry of Cooperation, New Delhi
& Ors. ... Respondents

WITH
INTERIM APPLICATION NO.8002 OF 2025
IN
WRIT PETITION NO.5418 OF 2025

Ashok Devgonda Patil & Anr. ... Applicants

In the matter between

Babasaheb Bhimrao Magdum & Ors. ... Petitioners

V/s.

Union of India, through it's Secretary
to Ministry of Cooperation, New Delhi
& Ors. ... Respondents

Mr. Surel S. Shah, Senior Advocate with Mr. Shubham
N. Shide for the petitioner.

Mrs. Shehnaz V. Bharucha i/by Mr. A.A. Ansari for
respondent Nos.1 and 2-UoI.

Mr. S.D. Rayrikar, AGP for respondent Nos.3,4 & 6-
State.

Mr. Drupad S. Patil with Mr. Dheeraj Patil for
respondent No.5.

Mr. S.C. Naidu with Mr. Bhushan Jadhav for the
applicant in IA.

CORAM : AMIT BORKAR, J.

DATED : MAY 9, 2025

P.C.:

1. The matter was first mentioned before this Court on 23rd April 2025, when, having regard to the urgency and seriousness of the allegations raised, this Court deemed it appropriate to pass an ad-interim order restraining the respondents from taking any coercive steps in the form of appointment of an Administrator. The said protection was reiterated and extended by a further order dated 25th April 2025, whereby Clause 9 of the impugned order dated 3rd April 2025, which prima facie appeared to be beyond the bounds of statutory authorization and due process, was specifically stayed. These interim directions were granted to preserve the subject matter of the writ petition and to prevent irreversible consequences, pending final adjudication.

2. The petitioners have now approached this Court seeking further intervention, alleging that despite the subsistence of interim protective orders, the office premises of respondent No.7 are being sealed, and other coercive steps are being undertaken by the authorities acting under the Multi-State Cooperative Societies Act, 2002. The actions complained of, if true, amount not only to a breach of the interim protection granted by this Court, but also tend to undermine the sanctity of judicial orders and the rule of law.

3. It is a well-established proposition that orders passed by constitutional courts, particularly in the nature of interim relief, are binding on all authorities, statutory or otherwise, and must be complied with in their letter and spirit. The disobedience of orders

of a superior court amounts to judicial indiscipline and is impermissible in a system governed by the rule of law. In the present case, once this Court has exercised its jurisdiction under Article 226 of the Constitution and has passed protective directions, no authority acting under the 2002 Act or otherwise is entitled to act in defiance or disregard of such orders, however bona fide its intentions may be. The process of law must be pursued with constitutional decorum.

4. Having regard to the above and the need to maintain the efficacy and dignity of judicial proceedings, it is hereby directed that until further orders, no coercive steps shall be initiated or continued against respondent No.7 by any authority, including the authorities functioning under the Multi-State Cooperative Societies Act, 2002, except with prior permission of this Court. It is further clarified that any wilful non-compliance or circumvention of the orders dated 23rd April 2025 and 25th April 2025 shall be viewed seriously, and in such eventuality, the highest officer of the Election Authority shall be held personally accountable. The principle that the rule of law is the cornerstone of constitutional governance cannot be compromised.

5. List the writ petition on **9 June 2025**.

6. Ad-interim relief granted earlier to continue till 9 June 2025.

(AMIT BORKAR, J.)