

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

WRIT PETITION NO.6193 OF 2025

Janakalyan Nagari Co-op. Credit Society .. Petitioner
Vs.
State of Maharashtra,
Through Department of Co-operative and
Marketing and Ors. .. Respondents

Mr. Surel Shah, Senior Advocate, with Mr. Vishwajeet Mohite, Mr. Ketan Joshi and Mr. Vikram Kulkarni, Advocates for the Petitioner.

Mr. P.G. Sawant, Assistant Government Pleader for Respondent Nos.1 and 2.

Mr. Shivaji A. Masal, Advocate for Respondent Nos.3 to 8.

**CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ**

DATE : 6TH MAY 2025.

PC. :

1. It is submitted by the learned Senior Advocate for the petitioner that on 24th March 2025 notice was issued by the Additional Registrar (Credit Societies), Co-operative Societies, stating therein that pursuant to a request made by the 3rd respondent for consideration of its One Time Settlement proposal, the parties were to be heard on 2nd April 2025. On the said date the petitioner filed its reply indicating its stand on the said proposal. However on 24th April 2025, the Additional Registrar proceeded to pass an order under Section 81(3)(c) of the Maharashtra Co-operative Societies Act, 1960 directing steps to be taken for carrying out a test audit.

2. It is urged that without recording any satisfaction that the Audit Report submitted by the petitioner did not disclose the true and correct picture of the accounts, the Additional Registrar has exercised jurisdiction.

It is pointed out that a Recovery Certificate issued against the 3rd respondent remains unchallenged.

3. Issue notice to the respondents, returnable on 1st July 2025. Mr. P.G. Sawant, learned Assistant Government Pleader waives notice for respondent nos.1 and 2 and Mr. Shivaji Masal, learned counsel waives notice for respondent nos.3 to 8.

3. Prima-facie, considering the manner in which the jurisdiction has been exercised by the Additional Registrar (Credit Societies), Co-operative Societies, the directions issued in paragraphs 2 and 3 of the impugned order dated 24th April 2025 shall not be enforced, till the next date.

4. All concerned to act on duly authenticated or digitally signed copy of this order.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]