

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10252 OF 2025**

Deccan Co-operative Textile Industries Limited

... Petitioner

Vs.

The State of Maharashtra & Ors.

... Respondents

Mr. Anil Sakhare, Senior Advocate i/by Kalpesh Patil for the Petitioner.

Ms. Kavita N. Solunke, AGP for the Respondent-State.

**CORAM : M.S. KARNIK &
N.R. BORKAR, JJ.**

DATE : 05TH AUGUST 2025

P.C. :

1. Heard Learned Senior Counsel for the Petitioner and Learned AGP for the Respondent-State.

2. Learned Senior Counsel for the Petitioner submits that Respondent No.5 – Divisional Deputy Commissioner Textiles, Solapur is proceeding to pass the order liquidating the Society on the ground that the Petitioner owes the outstanding dues to the State Government. It is the submission of Learned Senior Counsel that an order of liquidation can be made by following due procedure under Sections 102 and 103 of the Maharashtra Co-operative Societies Act, 1960. He submitted that there is no inquiry conducted as contemplated under Section 83 or an inspection made under Section 84 nor there is a report of the auditor auditing the accounts of the

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society. It is further submitted that none of the conditions for winding up as stipulated in Clause (1) of Section 102 are existing in the present case. He further submits that the society has not been called upon to place their submissions before the Registrar in terms of Sub-section (2) of Section 102.

3. Learned AGP for the Respondent-State submits that the process for appointment of liquidator will obviously be done by following due procedure of law. The matter is pending consideration before the Regional Commissioner of Textiles.

4. Let an Affidavit in Reply be filed by the Respondents within a period of three weeks from today. Affidavit in Rejoinder, if any, be filed within one week thereafter.

5. *Prima facie*, we find some substance in the submissions made by Learned Senior Counsel for the Petitioner. The Respondents may proceed to consider the matter, however final order under Section 103 for the appointment of liquidator not to be passed till the next date.

6. Stand over to **8th September 2025**.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)