



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 831 of 2025

[Washim Zilla Parishad Prathamik Shikshak Sahakari
Patansansta Maryadit, Washim, through its
President Shri D. K. Idole ..vs.. District Deputy Registrar,
Co-operative Societies, Washim and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. D. Wakode, Advocate for the petitioner
Ms. P. C. Bawankule, AGP for the State

CORAM : ANIL L. PANSARE J.

DATED : 14-02-2025

Heard.

The contention is that in absence of any directions in terms of sub-section (1) of Section 79A of the Maharashtra Co-operative Societies Act, 1960 (for short 'the Act of 1960'), the respondent no. 1 had no jurisdiction to pass order in terms of sub-section (3) of Section 79A because the Registrar has to record satisfaction that the person against whom the order is to be passed was responsible for complying the directions issued to the society under sub-section (1) and he has failed to comply with the directions without any good reason or justification.

As stated above, since there were no directions under sub-section (1) of Section 79A, the respondent no. 1 carries a blame of usurping powers under sub-section (3) of Section 79A of the Act of 1960 by which the special executive sub-committee is dissolved, particularly when the constitution of special executive sub-committee was challenged by respondent nos. 2 to 7 under Section 91 of the Act of 1960 before the Cooperative Court at Akola and where the Court refused to entertain the request of respondent nos. 2 to 7 to grant stay to constitution of special executive sub-committee.

On the strength of submissions so made, issue notice, returnable in three weeks.

Learned Assistant Government Pleader waives notice for respondent no. 1.

In the meantime, there shall be stay to the impugned order dated 3-2-2025.

(Anil L. Pansare, J.)

wasnik