



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

**Writ Petition No. 1495 of 2025**

[Shashikant Balkrushna Gaikwad ..vs.. The Hon'ble Minister, Co-operation  
Department, Government of Maharashtra 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. M. G. Bhangde, Senior Advocate assisted by Mr. R. D. Karode,  
Advocate for the petitioner  
Ms. D. V. Sapkal, AGP for the State

**CORAM : ANIL L. PANSARE J.**

**DATED : 24-03-2025**

Heard.

The petitioner came to be elected as Director of Dr. Babasaheb Ambedkar Zilla Parishad Magasvargiya Karmachari Sahakari Patsanstha Ltd., Akola. Thereafter, on 10-1-2022, he was elected as Director of respondent no. 5 – society and on 23-1-2022, as President of the said society. Respondent no. 3, taking aid of Section 73A of the Maharashtra Cooperative Societies Act, 1960, declared the petitioner as disqualified on the ground that he was holding post of officer in two societies, which is otherwise barred. The aforesaid order has been upheld by respondent nos. 1 and 2.

Learned Senior Counsel has invited my attention to sub-section (1) of Section 73A, which provides that “a designated officer” means the Chairman and the President, and includes any other officer of the society as may be declared by the State Government, by notification in the Official Gazette, to be a designated officer. He submits that case in hand is not in respect of the State Government having declared persons like the petitioner to be a designated officer.

The argument is that only Chairman and President would fall within the ambit of definition of designated officer, director of society will be, however, not.

Issue notice, returnable in four weeks.

Learned Assistant Government Pleader waives notice for respondent nos. 1 to 3.

In the meantime, there shall be stay in terms of prayer clause (ii) which reads as under.

- ii) stay the effect, operation and implementation of the order dated 14.02.2025 passed by the respondent no. 1- Hon'ble Minister, Ministry of Cooperation, Mantralaya, Mumbai in Revision Application No. 448/2024 (Annexure-"V"), order dated 18.06.2024 passed by the respondent no. 2-Divisional Joint Registrar, Cooperative Societies, Amravati in Appeal No. 50/2022 (Annexure-"O") and order dated 15.12.2022 passed by the respondent no. 3- District Deputy Registrar, Cooperative Societies, Akola (Annexure-"C") and the petitioner be permitted to allow to function as a Director of respondent no. 5-society and further be pleased to restore the petitioner on the post of Director of respondent no. 5-Society and permit him to function as a Chairman of the respondent no. 5-Society, during pendency of present petition, in the interest of justice;*

(Anil L. Pansare, J.)