

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

**WRIT PETITION NO. 1507/2026
WITH
INTERIM APPLICATION (ST) NO.2736/2026
WITH
INTERIM APPLICATION (ST) NO.2803/2026**

Shri Swami Samarth Sahakari Dudh Vyavsayik Sanstha ... Petitioners
Maryadit, Pungaon, District Kolhapur and ors.

Versus

The state of Maharashtra and ors.

... Respondents

.....

Mr. Anil Sakhare, (Senior Counsel), a/w Mr. C.G. Patil, a/w Mr. P.P. Magadum,
Advocate for the Petitioner
Mrs. Neha Bhide, G.P., a/w Mr. Kedar Dighe, Addl. G.P. a/w Ms T.J. Kapre, AGP
for the Respondent - State.
Mr. S.S. Patwardha, a/w Mr. Bhushan Mandlik, Advocate for respondent
No.5
Mr. Dilip Bodake, a/w Mr. Ruturaj Pawar, Advocate for respondent No.4

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**CORAM : MADHAV J. JAMDAR &
PRAVIN S. PATIL, JJ.**

DATE : 30.04.2026.

P. C. :

1. In this Writ Petition, the petitioners are seeking following relief in
prayer Clause- (B).

*“B. That this Hon'ble Court be pleased to issue a writ of mandamus
or any other appropriate writ, order and/or direction thereby
directing the respondents herein to forthwith start the election
process and conduct the election to the Managing Committee of the
Respondent no.5 Society as per the procedure contemplated under
the Maharashtra Co-operative Societies Act, 1960 and the Rules
1961 and the Maharashtra Co-operative Societies (Election to
Committee) Rules 2014:”*

2. We have heard Mr. Anil Sakhare, learned Senior Counsel appearing for petitioner, Mr. Kedar Dighe, learned Additional Government Pleader for respondent Nos.1 to 3, Mr. Dilip Bodke, learned counsel for respondent No.4 and Mr. S.S. Patwardhan, learned counsel appearing for respondent No.5.

3. We have disposed of Writ Petition St. No.2804/2026 by separate order passed today. In the said Writ Petition, affidavit-in-reply of Krishna Sakharam Thakare, Assistant Registrar, Co-operative Society (Dairy), Kolhapur was filed on 28.04.2026 and Paragraph No.5 of the said affidavit-in-reply is relevant which reads as under:

“5. I say that the provisional voters list would be prepared depending upon the result of winding up proceedings pending before the Assistant Registrar, Co-operative Societies (Dairy), Kolhapur. If the interim orders of winding up passed on 9th and 10th November 2023 are confirmed the names of all such primary milk co-operative societies would not be included in the provisional voters' list. However, if the interim orders of winding up are vacated after hearing all such primary milk co-operative societies, the names of all such primary milk co-operative societies would be included in the provisional voters list. The Kolhapur Zilla Sahkari Doodh Uptapadak Sangh Maryadit would be directed to prepare a fresh list of voters on the basis of orders passed in winding up proceedings by the Assistant Registrar, Co-operative Societies (Dairy), Kolhapur. The District Election Officer then would be directed to hold the elections of the Board of Directors of Kolhapur Zilla Sahkari Doodh Uptapadak Sangh Maryadit as per the revised provisional list of voters.”

4. It is admitted position that members of respondent No.5-The Kolhapur Zilla Sahkari Doodh Uptapadak Sangh Ltd., are the primary Dairy Societies. Admittedly, about 5470 societies are the voters in the

election of respondent No.5- The Kolhapur Zilla Sahkari Doodh Uptapadak Sangh Ltd., and out of that with respect to about 1320 societies, interim order of winding up has been passed on 09.11.2023 and 10.11.2023 and now the State of Maharashtra is hearing these societies for passing final orders. Thus, about 24% of the societies, which constitutes electorate in the election of Respondent No.5 Societies are facing the winding up proceedings. Thus, we passed the order in terms of paragraph No.5 of said affidavit-in-reply dated 28.04.2026 of Assistant Registrar, Co-operative Society (Dairy), Kolhapur, filed in Writ Petition St. No.2804/2026. The said paragraph No. 5 is set out hereinabove and the same is very clear.

5. Mr. Kedar Dighe, learned Additional Government Pleader states that within a period of 80 days, the hearing with respect to confirmation of interim orders of winding up passed against these 1320 societies will be completed and final orders will be passed. He states that as far as about 267 such societies are concerned, final orders are already passed.

6. Thus, we direct the Assistant Registrar, Co-operative Society (Dairy), Kolhapur, to complete hearing and pass appropriate orders by giving personal hearing to all such primary dairy societies in accordance with law. Such exercise be completed as expeditiously as possible and in any case within 80 days as per the statement made on instructions by the learned Additional Government Pleader.

7. After the above exercise is over, the respondent No.4- State Co-operative Election Authority to conduct the election of respondent No.5- Kolhapur Zilla Sahakari Dudh Utpadak Sangha Ltd., in accordance with law.

8. Thus, the Writ Petition is disposed of in above terms with no order as to costs. In view of disposal of Writ Petition, nothing survives in the interim applications and the same are also disposed of.

**RANJANA
SAMEER
SAHARE**

Digitally signed by
RANJANA SAMEER
SAHARE
Date: 2026.05.02
18:37:10 +0530

[PRAVIN S. PATIL, J.]

[MADHAV J. JAMDAR, J.]

R.S. Sahare