



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

WRIT PETITION NO.1210 OF 2026

MILIND S/O NARAYAN GHOGARE AND ANOTHER

VS

THE MINISTER, DEPT. OF CO-OPERATION MUMBAI AND ORS.

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

Court's or Judge's orders

Mr. H.S. Chitaley, Advocate for the petitioner/s
Ms T.H. Khan, AGP for the respondent/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 17.02.2026

1. Heard the learned counsel for the petitioners.
2. The petitioners are Directors of the respondent No.4–Co-operative Society. An inquiry under Section 88 of the Maharashtra Co-operative Societies Act, 1960 (for short “the Act of 1960”) was initiated in respect of respondent No.4. Upon completion of the proceedings, a final inquiry report dated 20.02.2024, was submitted, wherein the petitioners were held responsible and made liable for recovery of the amounts specified in the said report.
3. The petitioners, being aggrieved by the aforesaid inquiry report, had approached the respondent No.1- Hon’ble Minister, Department of Co-operation Mantralaya, Mumbai on 13.08.2024, by filing statutory Appeal Proceeding No.534/15-S (Page 84), under Section

152 of the Act of 1960, thereby, challenging the aforesaid inquiry report/order of recovery.

4. Despite the lapse of more than one and half years, the appeal has not yet been decided by Respondent No. 1. However, the respondent No.5, who is the Recovery Officer, is proceeding against the present petitioners for recovery of the amounts against which the petitioners have also filed the statutory appeal before the respondent No.1 - Hon'ble Minister, which is *subjudice*.

5. The respondent No.5 issued recovery notice, dated 17.12.2025 (Page 120), to the petitioners for recovery of the amounts, by which the possession of the petitioners' agricultural field/property was sought.

6. The facts remains that in pursuance of the aforesaid notice, the respondent No.5 has already taken possession of the property mentioned in the impugned notice dated 17.12.2025.

7. Accordingly, we direct the respondent No.1 - Hon'ble Minister, to decide the appeal Proceeding No.534/15-S, filed by the petitioners against the inquiry report dated 20.02.2024, under Section 88 of the Act of 1960, within eight weeks from the date of receipt of this order, after giving an opportunity of hearing to the petitioners and the respondent-Society.

8. The petitioners undertake to appear before the respondent No.1 on **05.03.2026 at 11.00 a.m.**
9. The learned counsel for the petitioners undertakes to furnish copy of this order to the respondent No.1 within two weeks from today.
10. The decision taken shall be communicated to the petitioner/s within two weeks from the date of such decision.
11. In the meanwhile, the respondent No.5 is directed not to take any coercive action against the petitioners in pursuance to the notice dated 17.12.2025.
12. Accordingly, the writ petition is **disposed of** in the above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)