



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

**WRIT PETITION NO. 1676 of 2026**

DIPAK RAJESHWAR NIMBEKAR

VS

STATE OF MAHARASHTRA, THR. SECY. DEPARTMENT OF COOPERATIVE, TEXTILES  
AND MARKETING, MUMBAI AND ORS.

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

Court's or Judge's Order

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Shri M.V. Samarth, Senior Advocate a/b Shri A.S. Ponkshe, Advocate for petitioner.  
Shri D. V. Chauhan, Senior Advocate/Government Pleader a/b Shri. N. S. Rao, AGP,  
for respondent No.1.

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

**DATE :- 24<sup>th</sup> FEBRUARY, 2026.**

Heard Shri Samarth, learned Senior Advocate, a/b Shri A.S. Ponkshe, learned counsel for the petitioner.

2. The petitioner, who is an agriculturist and member of an affiliated society of the respondent no.4-The Gadchiroli District Central Co-operative Bank, Gadchiroli, has been nominated by the society as a voter in the elections of the aforesaid Bank, has approached this Court seeking challenge to the order dated 05.12.2025 issued by the respondent no.1 thereby postponing the elections of the District Central Co-operative Banks in the State of Maharashtra invoking the provisions of Section 73CC of the Maharashtra Cooperative Societies Act, 1960 (for short, the Act of 1960) and the reason cited is, ensuing elections of the Local Authorities within the State of Maharashtra.

3. Shri Samarth, learned Senior Advocate, submits that the aforesaid impugned order dated 05.12.2025 is in violation of the mandate provided under Article 243ZK of the Constitution of

India and Section 73 C-B (10) of the Act of 1960. The aforesaid provisions cast duty on the respondent no.2-Authority to conduct the elections of such banks within the expiry of the period of the Executive Committee of the aforesaid Bank. Shri Samarth, learned Senior Advocate, further submits that the tenure of the present Executive Committee of the respondent No.4-Bank has expired on 05.02.2026.

4. His further submission is that the impugned order dated 05.12.2025 invokes the provisions of Section 73 CC of the Act of 1960 on the ground that the elections of the Local Authorities namely Zilla Parishads and Panchayat Samitis are going on and hence the elections of the respondent No.4-Bank is to be postponed. However, the fact remains that the election programme issued by the Election Commission of the Maharashtra State was pertaining to the Local Authorities of Western Maharashtra; whereas, the respondent no.4-Bank falls within Vidarbha Region of the State of Maharashtra and hence there is no impediment for conducting the elections of the respondent no.4-Bank.

5. In that view of the matter, we dispose of the writ petition with a direction to the respondent no.1 to re-consider its decision dated 05.12.2025 so far as the respondent no.4-Bank is concerned in view of the findings recorded above. Such decision shall be taken by the respondent no.1 within a period of one week from today.

6. The petitioner undertakes to produce the copy of this order before the respondent no.1 within a period of two days from today, so also the learned Government Pleader is directed to

communicate the order passed by this Court today to the respondent no.1.

7. Decision taken thereupon by the respondent no.1 shall be communicated to the petitioner, so also the respondent nos. 2 and 4 within a period of three days from the date of decision.

8. With these directions, the writ petition is disposed of. No order as to costs.

( RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)

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