HC-KAR

NC: 2026:KHC:55417
WP No. 18233 of 2024

CNR: KAHC010374912024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO.18233 OF 2024 (CS-RES)

BETWEEN:

1. THE KARNATAKA GOVERNMENT CLASS-D
EMPLOYEES HOUSING BUILDING
CO-OP SOCIETY LTD.
REG. UNDER KARNATKA CO-OP SOCIETIES ACT
NO.11/3, 2ND FLOOR
KURUBURA SANGHA
BUILDING NEW BLOCK
KANAKADASA CIRCLE
1ST MAIN ROAD, GANDHINAGAR
BENGALURU-560 009
BY ITS SECRETARY
A V JAYANTHI, W/O VENKATESH A T
AGED ABOUT 46 YEARS.

...PETITIONER

(BY SRI. SARAVANA S., ADVOCATE)

Digitally signed by
PREMCHANDRA M R
Location: HIGH
COURT OF
KARNATAKA

AND:

1. THE STATE OF KARNATAKA
DEPARTMETN OF CO-OPERATION
VIDHANA SOUDHA
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU-560 001
REPT. BY ITS PRINCIPAL SECRETARY.

2. THE JOINT REGISTRAR OF CO-OP SOCIETIES
BANGALORE REGION
NO.146, 3RD FLOOR
SAHAKARA SOUDHA, 8TH CROS

MARGOSA ROAD, MALLESWARAM
BENGALURU-560 003.

3. SRI. NAVEEN KUMAR G
S/O GOVINDSWAMY
AGED ABOUT 43 YEARS
R/A NO.43, KRISHNARAJA NILAYA
4TH FLOOR, TEMPLE MAIN ROAD
MALLESWARAM
BANGALORE-560 003.

…RESPONDENTS

(BY SRI. VARUN J. PATIL, ADVOCATE FOR
SRI. A. MAHAMMED TAHIR, ADVOCATE FOR C/R3;
SRI. YOGESH D. NAIK, AGA., FOR R.1 & R.2.)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.Saravana.S., counsel for the petitioner; Sri.Yogesh D.Naik., AGA for respondents 1 and 2 and Sri.Varun J.Patil., counsel for caveator/ respondent No.3 appeared in person.

2. The petition is filed seeking following reliefs:

a) Issue a writ in the nature of Declaring the proceedings before the 2nd respondent No.JRB/MD/36/2023-24, As

per Annexure-L, is without jurisdiction contravening the provision of Section 18 A and Section 27[1]M of the Act not falling under section 70[1][c] r/w 70[2][d] of the Karnataka Co-operative Societies Act, 1959.

b) Issue a writ in the nature of certiorari quashing the orders of the respondent No.2, dated:29.12.2023 in vide No.JRB/MD/36/2023-24 as per Annexure-J and also the orders dated:03.05.2024, vide No.JRB/MD/36/2023-24, as per Annexure-K and proceedings in No.JRB/MD/36/2023-24 in its entirety as per Annexure-L, is without jurisdiction, arbitrary, illegal and malafide exercise of power; and

c) Grant such other relief or reliefs as this Hon'ble Court deem fit to grant in the facts and circumstances of the case in the interest of justice and equity.

3. Counsel for the respective parties urged several contentions. Heard the arguments and peruse the papers with care.

4. The third respondent was a member of the petitioner-Society. Since his membership was suspended on account of certain alleged acts of misconduct, he raised a dispute before the Joint Registrar of Co-operative Societies (JRCS) under Section 70 of the Karnataka Co-operative

Societies Act, 1959. The petitioner-Society, being the respondent therein, entered appearance and filed its objections and is contesting the proceedings. The proceedings are presently pending. Counsel appearing for the respective parties jointly submit that the matter is now posted for cross-examination of respondent No.3.

Counsel for the petitioner fairly submits that, notwithstanding the objections raised by the petitioner with regard to the maintainability of the dispute under Section 70 of the Act, in the event a direction may be issued to the JRCS for expeditious disposal of the proceedings, the petitioner would extend its cooperation for the speedy disposal of the matter. Accordingly, counsel submits that an appropriate order may be passed.

The fair submission made by counsel for the petitioner is placed on record.

5. It is undisputed that the dispute is pending consideration before the JRCS and that the matter is presently posted for cross-examination of respondent No.3. Having

regard to the stage of the proceedings and the submissions made by the counsel for the parties, this Court deems it appropriate to direct the JRCS to dispose of the dispute as expeditiously as possible, and in any event, within an outer limit of three months from the receipt of a certified copy of this order.

6. In view of the above observations and directions, the writ petition stands ***disposed of***. It is needless to observe that this Court has not expressed any opinion on the merits of the case, and all contentions of the parties are left open for consideration by the competent authority in accordance with law.

Sd/-
(JYOTI M)
JUDGE

MRP
List No.: 1 Sl No.: 49