



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

WRIT PETITION NO.8384/2025

Chikhali Gram Vividh Karyakari Sahakari Sanstha Ltd. Vs. District Co-Operative
Election Authority cum Division Joint Registrar, Co-operative Societies,
Amravati and another

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

Court's or Judge's orders

Shri A.M. Ghare, Advocate for petitioner
Ms K.P. Marpakwar, AGP for respondent Nos.1 and 4
Shri Aniket Tapdiya, Advocate h/f Shri R.V. Gahilot, Advocate for respondent No.2
Shri S.S. Ghate, Advocate for respondent No.4

CORAM : RAJ D. WAKODE, J.

DATED : 30.12.2025

1. Heard Shri A.M. Ghare, learned Counsel for petitioner, Ms K.P. Marpakwar, learned AGP for respondent Nos.1 and 4/State, Shri Aniket Tapdiya, learned Counsel holding for Shri R.V. Gahilot, learned Counsel for respondent No.2 and Shri S.S. Ghate, learned Counsel for respondent No.3.

2. This Court, on 24.12.2025 had issued notice to the respondents, which was made returnable on 26.12.2025. On 26.12.2025, when the matter was called out before this Court, learned Counsel for respondents had sought time to file reply and hence the matter was posted today. When the matter was called out today, Shri Ghate, learned Counsel for respondent No.3 has tendered across the bar the

submissions on behalf of respondent No.3. He submits that a soft copy of the aforesaid reply has been duly served upon the petitioner yesterday. He also undertakes to supply the hard copy of the reply.

3. Ms K.P. Marpakwar, learned AGP submits that even her reply is ready and she will file it during the course of the day. The copy of the reply be supplied to Shri Ghare, learned Counsel for the petitioner.

4. Since the pleadings are complete, the matter can be heard finally on 05.01.2026 and can be decided by the regular Division Bench of this Court. However, Shri Ghare, learned Counsel invites my attention to the impugned Notification dated 28.11.2025, which directs the Primary Agriculture Cooperative Credit Society like the petitioner to submit the names of their representatives for exercising the right of voting in the election of Yavatmal District Central Co-operative Bank, Yavatmal till 31.12.2025. The aforesaid period is going to expire tomorrow i.e. 31.12.2025. In view of the above and in view of the challenge raised to Clause- 3 of the impugned Notification dated 28.11.2025, it is observed that Clause-3 in the opinion of this Court does not prejudice the right to vote of the petitioner Society.

5. Shri Ghare, learned Counsel for petitioner submits that Section 27(3) of the Cooperative Societies Act, 1960 provides voting right to a member society of a federal society subject to condition that the said member shall be

eligible to vote in the affairs of that federal society only after the completion of the period of three years from the date of its investing any part of its fund in the shares of such federal society.

6. The respondents have not disputed that the petitioner is a member of federal society nor the fact that the petitioner has completed three years from the date of his investing any parts of its fund in the shares of such federal society. However, the dispute pertains to the Clause-3 of the impugned communication dated 28.11.2025, which, according to Shri Ghare, seeks to impose additional condition to the voting right of the society like the petitioner. The said issue is already under challenge before this Court and the matter can be taken up finally on merits on 05.01.2026. However, the petitioner shall be at liberty to submit the name of his representative for exercising his voting right in the election of the federal society as per his choice.

7. The said decision, selection and nomination of the candidate by the petitioner society to be submitted till 31.12.2025 will be at his risk and subject to the result of the petition.

(RAJ D. WAKODE, J.)