



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S. KINAGI

WRIT PETITION NO.100869 OF 2024 (CS-RES)

BETWEEN:

SHRI LAXMAN HANUMANTH PATGAR,
AGE. 42 YEARS,
R/O. BARGI VILLAGE, KUMTA TALUK,
DISTRICT. UTTARA KANNADA-581440.

...PETITIONER

(BY SRI. J.S. SHETTY, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY ITS SECRETARY,
DEPARTMENT OF CO-OPERATIVE SOCIETY,
M.S. BUILDING, BENGALURU-560001.
2. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETY,
KUMTA DIVISION, KUMTA, UTTAR KANNADA,
DIST. UTTAR KANNADA-581332.
3. GRAMEENA SEVA SAHAKARI
SANGHA NIYAMITA BARAGADDE,
TQ. KUMTA, DIST. UTTARA KANNADA,
BY ITS SECRETARY-581332.

...RESPONDENTS

(BY SMT. KIRTELATA R.PATIL, HCGP FOR R1 AND R2;
SRI. SHIVARAJ P.MUDHOL, ADVOCATE FOR R3)

MOHANKUMAR
B SHELAR



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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT OF CERTIORARI TO QUASH THE ORDER NO.SANI-20/A/VICHARANE/CR-01/2022-23 DATED 18-03-2023, PASSED BY THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETY, KUMTA THE SECOND RESPONDENT, THE COPY OF WHICH HAS BEEN PRODUCED HERewith AND MARKED AS ANNEXURE-A AND ALSO THE ORDER DATED NO.SANI-20/E/LEPA/CR-01/2023-24 DATED 14-06-2023, PASSED BY THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETY, KUMTA, THE COPY OF WHICH HAS BEEN PRODUCED HERewith AND MARKED AS ANNEXURE-B. B) ANY OTHER WRIT OR DIRECTION WHICH THIS HONORABLE COURT DEEMS FIT TO GRANT IN THE FACTS AND CIRCUMSTANCES OF THE CASE, MAY KINDLY BE GRANTED IN FAVOUR OF THE PETITIONERS BY ALLOWING THIS WRIT PETITION, WITH COST THROUGHOUT, IN THE ENDS OF JUSTICE AND EQUITY.

THIS WRIT PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE ASHOK S. KINAGI)

1. The petitioner has filed this writ petition challenging the order dated 18.03.2023 passed by the Assistant Registrar of Co-operative Society, Kumta, i.e., respondent No.2, vide Annexure-A, and the order dated 14.06.2023 vide Annexure-B.

2. The impugned orders are appealable under Section 106(1)(h) of the Karnataka Co-operative Societies Act, 1959. The petitioner, without exhausting the efficacious statutory remedy, has filed this writ petition.



3. In view of the proposition laid down by the Hon'ble Apex Court in ***Rikhab Chand Jain v. Union of India and Others*** in *Civil Appeal No.6719/2012*, the present petition filed by the petitioner is not maintainable.

4. Accordingly, I proceed to pass the following order.

ORDER

- (i) The writ petition is dismissed.
- (ii) Liberty is reserved to the petitioner to approach the appellate authority, if so desired within a period of 30 days.
- (iii) In the meantime, the respondents are directed not to take any coercive steps against the petitioner for a period of 30 days from today.
- (iv) In view of dismissal of the writ petition, I.A.No.1/2025 does not survive for consideration.
- (v) Pending applications, if any, shall stand disposed of.

**Sd/-
(ASHOK S. KINAGI)
JUDGE**