

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 6610/2026

Girdharee Dan Charan S/o Shri Mangal Dan, Aged About 47 Years, Resident Of Village Muhado Ki Dhani, Gram Panchayat Dharvi Kalla, Tehsil Shiv, District Barmer.

-----Petitioner

Versus

1. State Of Rajasthan, Through Registrar, Cooperative Societies, Nehru Sahakar Bhawan, 22 Godown, Jaipur.
2. Additional Registrar, Cooperative Societies, Jodhpur Division, Jodhpur.
3. Deputy Registrar, Cooperative Societies, Barmer.
4. Balai Gram Sewa Sahakari Samiti Limited, Balai, Tehsil Shiv, District Barmer - Through Its Administrator.

-----Respondents

For Petitioner(s)	:	Mr. Manoj Bohra
For Respondent(s)	:	-

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/03/2026

1. Heard on the interim application.
2. The challenge in the present writ petition is to the order dated 06/7.03.2026 (Annexure-2) passed by the Deputy Registrar, Co-operative Societies, Barmer, whereby he appointed the Administrator on account of the expiry of the term of the Executive Committee of the Co-operative Society, by placing reliance on Section 30(1)(c) of the Rajasthan Co-operative Societies Act, 2001 (hereinafter referred to as 'the Act of 2001').
3. The learned counsel appearing on behalf of the petitioner submits that the said provision was struck down as ultravires by

the Hon'ble Division Bench of this Court in the case of '**Bhanwar Lal Vs. State of Rajasthan & Ors.**' **AIR 2017 Rajasthan 114.**

The impugned order has been passed basing on a circular which revived the struck down provision and enabled the Deputy Registrar to appoint an Administrator. That circular was also challenged before the Hon'ble Division Bench of this Court and the Hon'ble Division Bench has suspended the said circular.

4. In spite of the above factual background, the impugned order has been passed appointing the Administrator for an indefinite period, placing reliance on Section 30(1)(c) of the Act of 2001, which has already been struck down.

5. In light of the above factual background, this Court is inclined to stay the effect and operation of the impugned order dated 06/7.03.2026 (Annexure-2) qua the petitioner. However, the stay granted shall not come in the way of the Government and the society to take appropriate action for the revival election of the society or other action permissible under the law.

6. Issue notice to the respondents, returnable within a period of four weeks.

7. Post the matter on 27.04.2026 along with S.B. C.W.P. No. 11895/2025.

(KULDEEP MATHUR),J