

ITEM NO.MM 2-B

COURT NO.2

SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

I.A. NOS.13-14 IN  
Petition(s) for Special Leave to Appeal (Civil) No(s).306-307/2011

(From the judgement and order dated 26/11/2010 in WP No.10612/2010,  
WP No.10612/2010, C.A. No.18327/2010 of The HIGH COURT OF BOMBAY AT  
AURANGABAD)

RAM DAS Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ORS. Respondent(s)

(With appln(s) for extension of time and directions)

Date: 26/08/2011 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)/ Mr. Shivaji M. Jadhav, Adv.  
Applicant

For Respondent(s) Mr. Dilip A. Taur, Adv.  
Mr. Anil Kumar, Adv.

Mr. Sanjay V. Kharde, Adv.  
Ms. Asha Gopalan Nair, Adv.

Mr. Sunil Kumar Verma, Adv.

UPON hearing counsel the Court made the following  
O R D E R

I.A. Nos.13 to 14 of 2011, have been filed by the  
petitioner in S.L.P. (C) Nos.306-307 of 2011. Two other  
applications, being I.A. Nos.11 to 12 of 2011, have also  
been filed in the special leave petition by the Collector,  
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Ahmednagar, Maharashtra, who is the respondent No.3 in the  
special leave petitions.

By our order of 9th May, 2011, we had disposed of the  
special leave petitions by directing that the election to  
the Board of Directors of the respondent No.4, be completed  
within 31st August, 2011, after complying with all the  
necessary formalities, which would naturally mean, the  
Rules, under which such elections are held. In our said  
order we had recorded that the life of the Committee, then  
in management, would be expiring on 17th June, 2011, and the  
authority concerned was directed to extend the life of the  
Committee till 31st August, 2011, within which period the

elections were to be conducted and completed. We had also made it very clear that no further extension would be allowed under any circumstances.

Despite the said order, these interlocutory applications have been filed praying for extension of time to complete the election process, which has already commenced. In fact, the dates for obtaining nomination forms was set in the election programme between 25th August to 31st August, 2011.

As has now been pointed out on behalf of the parties, under the Maharashtra Specified Co-operative Societies Election to Committee Rules, 1971, the procedure laid down for holding elections contemplates various stages and certain time periods have been stipulated for the different stages. According to the said provisions, the date of voting would be on 3rd October, 2011, and the counting is to be completed on 5th October, 2011.

Since, according to the Rules, certain time periods have been indicated, we are satisfied that despite the stipulation that no further extension would be granted under any circumstances, the period has to be extended having regard to the Rules, as indicated hereinabove. Accordingly, the period for completing the elections is extended till

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20th October, 2011. That takes care of one portion of the reliefs sought for by the special leave petitioner and the concerned authorities.

There is, however, a second relief which has been prayed for on behalf of the special leave petitioner to the effect that the period of office of the Committee may be extended during the period now fixed for completion of the election process.

As recorded in our order of 9th May, 2011, the life of the Committee was to come to an end on 17th June, 2011, but the same was extended till the date of the completion of the elections. In such circumstances, we do not think it fit to extend the period any further and the authorities will be at liberty to take steps in accordance with law.

The interlocutory applications are disposed of accordingly.

(Chetan Kumar)  
Court Master

(Juginder Kaur)  
Assistant Registrar