

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

Petition(s) for Special Leave to Appeal (C) No(s). 16332/2026

[Arising out of impugned final judgment and order dated 30-04-2026 in WP No. 1507/2026 passed by the High Court of Judicature at Bombay]

SHRI SWAMI SAMARTH SAHAKARI DUDH
VYAVSAYIK SANSTHA MARYADIT & ORS.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

IA No. 138308/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 138310/2026 - EXEMPTION FROM FILING O.T.

WITH

Diary No(s). 27083/2026 (IX)

IA No. 138269/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 138270/2026 - EXEMPTION FROM FILING O.T.

IA No. 138266/2026 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Date : 06-05-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) : Mr. Mukul Rohatgi, Sr. Adv.
Mr. Sagar Pahune Patil, AOR
Mr. Chetan Patil, Adv.
Ms. Devanshi Singh, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. S.s Patwardhan, Adv.
Mr. Anand Dilip Landge, AOR
Mr. Bhushan Mandlik, Adv.
Mr. Avishkar Singhvi, Adv.
Ms. Tanushka Agarwal, Adv.

For Respondent(s) : Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.
Mr. Bharat Bagla, Adv.
Mr. Aditya Krishna, Adv.

Mr. Satish B Talekar, Adv.
Mr. Pulkit Agarwal, Adv.
Ms. Pradnya Talekar, Adv.
Ms. Madhavi Ayyappan, Adv.
Mr. Ajinkya Sanjay Kale, Adv.
Ms. Vishakha Patil, Adv.
Mr. Sudhanshu Kaushesh, Adv.
Mr. Anubhav Lamba, Adv.
Mr. Alok Abhinav, Adv.
Mr. Rajat Kumar, Adv.
Mr. Sudhanshu Kumar, Adv.
Mr. Shubham Singh, Adv.
Mr. Utkarsh Singh, Adv.
Mr. Saurabh Veer, Adv.
Mr. Prerak Khurana, Adv.
Mr. Pulkit Agarwal, AOR

For Caveators Mrs. Vibha Datta Makhija, Sr. Adv.
 Mr. Omkar Jayant Deshpande, AOR
 Ms. Nehaol Sri L.V., Adv.
 Mr. Praveen Gaur, Adv.
 Ms. Rohini Narayan, Adv.
 Mr. Ashok Poulo Paul, Adv.

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

1. Permission to file Special Leave Petition is granted.
2. These Special Leave Petition are against the common judgment and order dated 30.04.2026 passed by the High Court of Judicature at Bombay (Circuit Bench at Kolhapur) in Writ Petition No. 1507 of 2026.
3. The prayer in the Writ Petition was for a direction to hold elections to the Managing Committee of the Kolhapur Zilla Sahkari Doodh Utpadak Sangh Ltd. (Sangh). The High Court disposed of the Writ Petition(s) with the following directions:

"6. Thus, we direct the Assistant Registrar, Co-operative Society (Dairy), Kolhapur, to complete hearing and pass appropriate orders by giving personal hearing to all such primary dairy societies in accordance with law. Such exercise be completed as expeditiously as possible and in any case within 80 days as per

the statement made on instructions by the learned Additional Government Pleader.

7. After the above exercise is over, the respondent No.4- State Co-operative Election Authority to conduct the election of respondent No.5- Kolhapur Zilla Sahakari Dudh Utpadak Sangha Ltd., in accordance with law.

8. Thus, the Writ Petition is disposed of in above terms with no order as to costs. In view of disposal of Writ Petition, nothing survives in the interim applications and the same are also disposed of."

4. By the time the Special Leave Petition is taken up for hearing, the order dated 04.05.2026 by the Office of the Regional Dairy Development Officer under Section 77A and Section 73AAA(3) of the Maharashtra Co-operative Societies Act, 1960 (for short, 'the Act') was brought to our notice. The relevant portion of the order constituting the Committee of Administrators for conducting the election is as under:

"Whereas, if names are invited from the members of the Sangh to be appointed as Authorized Officers under the provisions of Section 77A of the Maharashtra Co-operative Societies Act, 1960, it would not be justifiable in terms of a fair election process, considering the upcoming election process of the Sangh. Furthermore, inviting names from the members would lead to a waste of time in verifying eligibility under Section 73CA of the Act. Therefore, as immediate measures are extremely necessary, appointing a Board of Authorized Officers from among the members of the Sangh would not be appropriate. Instead, appointing persons other than the members of the Sangh as Authorized Officers would be more beneficial, considering the Sangh, its members, and the impending election process.

Therefore, considering all the above facts, the following order is being passed regarding the appointment of an Authorized Officer as per the provisions of Section 73AAA (3) and Section 77

(A) (1) (b) (Two) of the Maharashtra Co-operative Societies Act, 1960, along with Section 73AAA (3) (with Amendment Act 2026).

ORDER

Under the provisions and amendments of Section 73AAA(3) and the powers vested in me under Section 77 (A)(1)(b)(two) of the Maharashtra Co-operative Societies Act, 1960, 1, Rajkumar Patil, Divisional Deputy Registrar, Co-operative Societies (Dairy), Pune Division, hereby pass this order.

The term of the Board of Directors of the Kolhapur District Milk Producers Sangh Ltd., Kolhapur (Gokul) has expired, and as they cannot continue in their positions, a vacuum has been created in the management of the Sangh. To fill this vacuum and to conduct the day-to-day operations of the Sangh, the following Board of Authorized Officers is hereby appointed:

Sr. No.	Name and Designation	Position in the Board
1	Shri. Sanjaykumar Vishwanath Sudrik, District Deputy Registrar, Co-operative Societies, Satara.	Chairman
2	Shri. Pradip Mahavir Malgave, Assistant Registrar, Co-operative Societies, Chandgad, Dist. Kolhapur.	Member
3	Shri. Sunil Ramchandra Dhaygude, Assistant Registrar, Co-operative Societies, Mulshi, Dist. Pune.	Member
4	Shri. Sagar Balakwade, Auditor Class-I, Co-operative Societies (Panani), Kolhapur	Member
5	Shri. Chandrakant Parulekar, Section Officer, Charity Hospital Section, District Collector's Office, Kolhapur	Member

The appointed Board of Authorized Officers is bound to work under the general control of the Authority. They shall not take any policy

decisions independently without the prior permission of this Authority."

5. The order dated 04.05.2026 is passed under the provisions of Section 73AAA(3) and in exercise of powers vested under Section 77(A)(1)(b) (two) of the Maharashtra Co-operative Societies Act, 1960 appointing Board of Authorized Officers. The admitted facts of the case are that the term of the Sangh elected on 04.05.2021, came to an end on 04.05.2026. In view of the fact that the term of the Co-operative Society elected in 2021 has come to an end on 04.05.2026 that the above referred order came to be passed.

6. Neither the order dated 04.05.2026, nor the amendment to the Act deleting the proviso to sub-clause 3 of Section 73AAA were challenged either before the High Court or even before this Court. In this view of the matter, we are not examining the grounds raised by Mr. Mukul Rohatgi and Mr. Abhishek Manu Singhvi, learned senior counsels appearing for the petitioners. We are informed that the petitioner(s) have today filed a writ petition under Article 32 of the Constitution of India challenging the amendment as well as the order dated 04.05.2026.

7. Having considered the matter in detail, we see no reason whatsoever to entertain the Special Leave Petitions.

8. Mr. Siddharth Dharmadhikari, learned counsel for the State submits that in furtherance of the observations of the High Court in paragraph no. 6, extracted hereinabove, the State Co-operative Election Authority will endeavour to hold the elections as expeditiously as possible preferably within a period of ninety days

from today.

9. With these observations and clarifications, the Special Leave Petitions are dismissed.

10. Pending application(s), if any, shall stand disposed of.

Diary No. 27779/2026

11. The matter is taken on board.

12. Mr. Avishkar Singhvi, learned counsel appearing for the petitioner seeks permission to withdraw the Writ Petition with liberty to avail such alternative remedies as may be available to them in law.

13. Permission, as sought for, is granted.

14. The Writ Petition is, accordingly, dismissed as withdrawn with the aforesaid liberty.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
ASSISTANT REGISTRAR