

IN THE HIGH COURT OF KARNATAKA, BANGALORE

DATED THIS THE 28TH DAY OF November 2000

BEFORE

THE HON'BLE MR. JUSTICE CHIDANANDA ULLAL

WP No 25028 OF 2000

BETWEEN

1 K T PRABHAKARA S/O R B THOTAPPA
AGED 48 YEARS, BAJAR ROAD,
K R NAGAR, MYSORE DIST.

... PETITIONER

(By Sri.SARAT CHANDRA BIJAI)

AND :

1 DY REGISTRAR OF CO-OP SOCIETIES
MYSORE DISTRICT, MYSORE

2 THE TALUK AGRICULTURAL PRODUCE MARKETING
SOCIETY LTD., K R NAGAR, MYSORE DIST.

3 RAME GOWDA
S/O.GANGE GOWDA
AGED 47 YEARS,
BALURU KOPPALU,
HOSA AGRAHARA HOBLI
MYSORE DIST.

... RESPONDENTS

(By Sri.M.N.Ramanjaneyagowda, AGA FOR R1-2.)

THIS WP FILED PRAYING TO:-

DIRECT R1 TO DISPOSE OF EXPEDITIOUSLY, THE DISQUALIFICATION PROCEEDINGS UNDER SECTION 29(C) OF THE ACT, INITIATED BY R1.

GRANT INTERIM ORDER TO DIRECT THE R1 TO RESTRAIN THE R3 FROM FUNCTIONING AS THE PRESIDENT OF R2 SOCIETY.

POST THIS WP FOR PRLY. HG. BEFORE SINGLE JUDGE.
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This petition coming on for hearing this day, the Court made the following :

ORDER

This matter had been listed for final hearing.

2. The petitioner herein is represented by Sri.Sarat Chandra Bijai. The respondent No.1 - Deputy Registrar of Co-operative Societies is represented by the learned Additional Government Advocate Sri.M.N.Ramanjaneyagowda. The respondent No.2 is a Marketing Society. Notice to the respondent No.3 is held sufficient.


3. The Counsel for the petitioner Sri.Bijai had taken me through the facts of the case set out in the writ petition, the grounds urged and further the prayer made therein. It is his submission that the proceedings under Sec.29(c) of the Co-operative



Societies Act came to be initiated as against the respondent No.3 in proceedings in No.DRM:B 3:47:DSQ :99-2000, wherein certain disqualification proceedings had been initiated as against the respondent No.3. Sri.Bijai also submitted that the instant writ petition can be disposed of with a direction to the respondent No.1 to dispose of the said proceedings by fixing a time frame. That he submitted for the reason that the term of Office of the respondent No.3 would be coming to a close by the end of September, 2001.

4. The learned Additional Government Advocate appearing for the respondent No.1 however submitted that sufficient time be granted to the Authority to dispose of the matter.

5. Having gone through the petition averments and having heard both the Counsel for the petitioner on the one side and the learned Additional Government Advocate appearing for the respondent No. 1 on the other, I feel that the instant writ petition be disposed of by directing



the respondent No.1 to dispose of the proceedings in question within a period of 4 months from this date.

6. In that view of the matter, the instant writ petition stands allowed.

7. The respondent No.1 - Deputy Registrar of Co-operative Societies is hereby directed to dispose of the proceedings in question within a period of ^{✓ (3 months) ✓} 3 months from the date of communication of this order.

8. Let him do that after hearing the petitioner on the one side and the respondent No.3 on the other.

Sd/- JUDGE

mgn/-