

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 for Special Leave to Appeal (C) No. 22407/2026

[Arising out of impugned final judgment and order dated 22-06-2026 in WP No. 5642/2026 passed by the High Court of Judicature at Bombay at Aurangabad]

SEVA SAHAKARI SANSTHA M.

Petitioner(s)

VERSUS

AVADHOOT & ORS.

Respondent(s)

(IA No. 185385/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 185387/2026 - EXEMPTION FROM FILING O.T.)

WITH

SLP(C) No. 22420/2026 (IX)

(IA No. 185633/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 185639/2026 - EXEMPTION FROM FILING O.T., IA No. 187373/2026 - EXEMPTION FROM FILING O.T. and IA No. 187371/2026 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS)

Date : 09-09-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :Mr. Shivaji M. Jadhav, AOR
Mr. Aditya S. Jadhav, Adv.
Mr. Brij Kishor Sah, Adv.
Ms. Apurva, Adv.
Mr. Vignesh Singh, Adv.
Mr. Dere Kishor Shankar, Adv.
Ms. Shivali Chaudhary, Adv.

For Respondent(s) :

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

1. The High Court held the petitioner disqualified to cast his vote in the election of Committee of management of Nanded District Central Co-operative Bank on the ground that by the cut off date the petitioner had not paid all the interest dues which came to be paid after the cut off date.

2. The provisions of sub-section (10) of Section 27 of the Maharashtra Co-operative Societies Act, 1960 (for short, "1960 Act") disqualifies a defaulter member from being a voter.

3. Whether to be considered a defaulter, a service of notice of demand is necessary or not needs to be examined. Further, how a defaulter has been defined under the 1960 Act or the Rules made thereunder also need to be examined.

4. In view of the above, we deem it appropriate to adjourn the matter for four weeks so as to enable the learned counsel for the petitioner to examine the relevant provisions of the Act as well as the Rules for the purposes of addressing us as to when a member would be considered a defaulter.

5. As it appears that pursuant to the interim order passed by this Court, the petitioner has participated in the election. We deem it appropriate to require the petitioner to seek instructions as regards the margin of victory between the elected candidate and the runner up.

6. List these matters immediately on expiry of four weeks.

(KANJIKA TAYAL)
COURT MASTER (SH)

(SAPNA BANSAL)
COURT MASTER (NSH)