

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**WEDNESDAY, THE TWENTY EIGHTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT APPEAL NO: 978 OF 2024

Writ Appeal under clause 15 of the Letters Patent Against the order dated 26-07-2024 in I.A.No.1 of 2024 in WP.No. 23976 of 2020 on the file of the High Court.

Between:

1. Sri Ramesh Kumar Bung, S/o. Late Sri Ram Prakash Bung, aged about 60 years, Occupation. Chairman, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034.
2. Sri Prem Bajaj, S/o. Sri Shankerlaji Bajaj, aged about 60 years, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034
3. Sri Ram Bhandari, S/o. Sri Kundanmal, aged about 55 years, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034
4. Sri Govind Narayan Rathi, S/o. Sri Badri Narayan Rathi, aged about 60 years, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034
5. Smt. Pushpa Boob, W/o. Sri Bhagawandas Boob, aged about 50 years, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034
6. Sri Badrivishal Mundada, S/o. Sri Heeralal Mundada, aged about 60 years, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No,12, Banjara Hills, Hyderabad - 500 034
7. Sri Brij Gopal Asawa, S/o. Sri Srinivas Asawa, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034

...APPELLANTS/RESPONDENTS No.7, 10 to 15

AND

1. A.P. Mahesh Cooperative Urban Bank, a Multi-State Schedule Bank, registered under the provisions of the Multi-State Cooperative Societies Act, 202 having its A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034, represented by its Officer appointed by Hon'ble High Court of Telangana.

...RESPONDENTS/PETITIONER RESPONDENT No.4

2. Shaligram Dhoot, S/o. Ramdev Dhoot, Membership No.11419, Occupation. Business, R/o. 14-11-782/1, Nai Basti, Jhinsi Chowrahi, Hyderabad, Telangana - 500 006.
3. Malik Dhoot, W/o. Subash Dhoot, Membership No.11947, Occupation. Housewife, R/o. 14-11-782/1, Nai Basti, Jhinsi Chowrahi, Hyderabad, Telangana - 500 006.

...RESPONDENTS/WRIT PETITIONERS

4. The State of Telangana, represented by its Principal Secretary, Department of Cooperation, Secretariat Buildings, Hyderabad, Telangana - 500 029.
5. Central Registrar of Cooperative Societies, Department of Agriculture, Cooperation Farmers Welfare, Ministry of Agriculture and Farmers Welfare, Rajendra Prasad Road, New Delhi - 110 001.
6. The Returning Officer of A.P. Mahesh Cooperative Urban Bank Ltd., Deputy Registrar of Cooperative Societies, Nampally, Hyderabad - 500 001.
7. The Reserve Bank of India, Mumbai, rep. by its Director Central West, Opp. Railway Station, Mumbai - 400 008.
8. Sri Purshotamdas Mandhana, S/o. Late Govindlaji Mandhana, Occupation. Sr. Vice Chairman, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034
9. Sri Lakshmi Narayan Rathi, S/o. Sri Balakishanji Rathi, aged about 55 years, Occupation. Vice Chairman, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034
10. Sri Murlimanohar Pallod, S/o. Sri Ramchander Pallod, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034
11. Baghwan Parsari, S/o. Bawari Lal Parsari, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office, 3-6-731/732, Street No.13, Himayat Nagar, Hyderabad.
12. Arun Kumar Bhangadia, S/o. GK Bhangadia, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/2, G6, Rock Level Apartment, Road No.12, Banjara Hills, Hyderabad - 500 034
13. Bhagwati Devi Baldwa, W/o. Mahesh Baldwa, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-684/2/2, Bhavani Enclave, Road No.12, Banjara Hills, Hyderabad - 500 034.
14. Kalash Narayan Bhagadiya, S/o. Satyanarayan Bhagadiya, Occupation. Director, A.P. Mahesh Cooperative Urban Bank, Begumbazar, Hyderabad.

15. Anitha Soni, W/o. Brij Mohan Soni, Occupation. Director, AP Mahesh Cooperative Urban Bank, R/o. Plot No.12, Sri Ram Park, Near Kalpa School, Road No.8, Banjara Hills, Hyderabad - 500 034.

...RESPONDENTS/RESPONDENTS 8, 9, 16 to 21

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation and effect of the order in I.A.No.1 of 2024 in W.P.No.23976 of 2020, dated 26.07.2024.

**Counsel for the Appellant : SRI VEDULA VENKATARAMANA, Sr.COUNSEL,
rep., SRI P.AMARENDER REDDY**

**Counsel for the Respondent No.1 : SRI B.S.PRASAD, Sr.COUNSEL,
rep., M/s.PEARL LAW ASSOCIATES**

**Counsel for the Respondent No.2&3 : SRI DIL JIT SINGH AJLUWALIA,
rep., SRI RAJESH KUMAR HERUR**

**Counsel for the Respondent No.4&6 : SRI B.MOHANA REDDY,
GP FOR COOPERATION DEPT**

Counsel for the Respondent No.5 : SRI K.L.N.RAGHAVENDRA REDDY

**Counsel for the Respondent No.7 : SRI B.NALIN KUMAR, Sr.COUNSEL,
rep., SRI K.RATHANGA PANI REDDY**

The Court made the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT APPEAL No.978 of 2024

JUDGMENT: *(For the Hon'ble the Chief Justice Alok Aradhe)*

Mr. Vedula Venkataramana, learned Senior Counsel representing Mr. P.Amarender Reddy, learned counsel for the appellants.

Mr. B.S.Prasad, learned Senior Counsel representing M/s. Pearl Law Associates for the respondent No.1

Mr. Dil Jit Singh Ahluwalia, learned counsel representing Mr. Rajesh Kumar Herur, learned counsel for the respondents No.2 and 3.

Ms. B.Mohana Reddy, learned Government Pleader for Cooperation Department for the respondent No.4.

Mr. K.L.N.Raghavendra Reddy, learned counsel for the respondent No.5.

Mr. B.Nalin Kumar, learned Senior Counsel representing Mr. K.Rathanga Pani Reddy, learned counsel for the respondent No.7.

2. With the consent of the parties, the appeal is heard finally.

3. In this intra court appeal, the appellants have assailed the validity of the order dated 26.07.2024 passed by the learned Single Judge by which the application filed by the respondent No.1, namely I.A.No.1 of 2024 in W.P.No.23976 of 2020, seeking permission to discharge the functions of the Andhra Pradesh Mahesh Cooperative Urban Bank (hereinafter referred to as, "the Bank") as officer in charge, has been allowed.

4. Facts giving rise to filing of this appeal briefly stated are that the appellants are the Chairman and Members of the elected Board of Directors of the Bank. The Bank is a scheduled bank incorporated under the provisions of the Multi-State Cooperative Societies Act, 2002. As per the averments, the elections were held on 20.12.2020.

5. The respondents No.2 and 3 filed the writ petition against the action of the respondent No.6, namely the Returning Officer of the Bank, in conducting the elections

of the Bank. The learned Single Judge, by an order dated 08.01.2021, permitted the declaration of the results, but restrained the elected Board from taking any policy decisions. Thereafter, the learned Single Judge, with the consent of the parties, by an order dated 30.10.2023, appointed a Retired General Manager, State Bank of India, as an officer for running the administration and managing the day-to-day affairs of the Bank. Thereafter, with the consent of the parties, the learned Single Judge passed another order dated 28.12.2023 by which it was clarified that the officer in charge shall run the administration and manage day-to-day affairs of the Bank and shall also take policy decisions.

6. Thereafter, an application, namely I.A.No. of 2024, was filed by the respondent No.1 seeking permission to discharge the functions mentioned therein. The learned Single Judge, by an order dated 26.07.2024, has allowed the same. Hence, this appeal.

7. Learned Senior Counsel for the appellants submitted that the writ petition is pending before the learned Single

Judge since 2020 and the learned Single Judge be requested to deal with the writ petition in a time bound manner.

8. On the other hand, learned counsel for the respondents No.2 and 3 submits that he has already submitted the written arguments before the learned Single Judge.

9. Both the learned Senior Counsel appearing for the respondents No.1 and 7 submit that they have no objection to the writ petition being heard early.

10. In view of the aforesaid submissions and in the facts and circumstances of the case, we request the learned Single Judge to dispose of the writ petition as expeditiously as possible. Needless to state that the parties shall cooperate for early disposal of the writ petition and shall not seek any unnecessary adjournments.

11. Accordingly, the writ appeal is disposed of.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

SD/-I. NAGA LAKSHMI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Officer appointed by Hon'ble High Court of Telangana, A.P. Mahesh Cooperative Urban Bank, a Multi-State Schedule Bank, registered under the provisions of the Multi-State Cooperative Societies Act, 202 having its A.P. Mahesh Cooperative Urban Bank, Head Office and Regd. Office 8-2-680/1 and 2, Road No.12, Banjara Hills, Hyderabad - 500 034.
2. The Principal Secretary, Department of Cooperation, Secretariat Buildings, Hyderabad, State of Telangana, Telangana - 500 029.
3. The Central Registrar of Cooperative Societies, Department of Agriculture, Cooperation Farmers Welfare, Ministry of Agriculture and Farmers Welfare, Rajendra Prasad Road, New Delhi - 110 001.
4. The Returning Officer of A.P. Mahesh Cooperative Urban Bank Ltd., Deputy Registrar of Cooperative Societies, Nampally, Hyderabad - 500 001.
5. The Director, Reserve Bank of India, Mumbai, Central West, Opp. Railway Station, Mumbai - 400 008.
6. The Section Officer, Writ Posting Section, High Court for the State of Telangana
7. The Section Officer Writ Non Service Section, High Court for the State of Telangana.
8. One CC to SRI P.AMARENDER REDDY, Advocate. [OPUC]
9. One CC to M/s.PEARL LAW ASSOCIATES, Advocate. [CPLC]
10. One CC to SRI RAJESH KUMAR HERUR, Advocate. [OPUC]
11. Two CCs to GP FOR COOPERATION DEPARTMENT High Court for the State of Telangana at Hyderabad. [OUT]
12. One CC to SRI K.L.N.RAGHAVENDRA REDDY, Advocate. [CPJC]
13. One CC to SRI K.RATHANGA PANI REDDY, Advocate. [OPUC]
14. Two CD Copies.

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HIGH COURT

DATED:28/08/2024



JUDGMENT

WA.No.978 of 2024

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(37)
26/09/2024
b.w.