



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 8TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO.202653 OF 2025 (CS-RES)

BETWEEN:

1. MALLIKARJUN S/O. SANGAPPA MAHAJAN,
AGE: 60 YEARS, OCC: FORMER CHIEF EXECUTIVE
OFFICER (RESIGNED), DCC BANK LTD., BIDAR
R/O. H. NO.19-6-102, SHIVA NAGAR NORTH,
BIDAR-585401.
2. CHANNABASAYYA
S/O. HAVAYYA SWAMY,
AGE; 55 YEARS, OCC: GENERAL MANAGER
(SUSPENDED), DCC BANK LTD., BIDAR
R/O. H. NO.19-5-278/78,
MADHAV NAGAR, NAUBAD,
BIDAR-585401.
3. SYED RAHIL AHMAD
S/O. SYED ABDUL KHALEEL,
AGE: 46 YEARS, OCC: MANAGER (DISMISSED),
DCC BANK NSSK BRANCH, IMAMPUR, (JANWADA)
BIDAR R/O. H. NO.7-5-72,
OPP. ASHRA PUBLIC SCHOOL, DARGAPUR,
BIDAR-585401.
4. SADASHIV PATIL
S/O PANDITRAO PATIL,
AGE: 50 YEARS, OCC: DEPUTY GENERAL MANAGER
(SUSPENDED), DCC BANK LTD., BIDAR
R/O "MATOSHREE NIVAS, PLOT NO.3,
SHIVAJI NAGAR, NEAR GOVT. SCHOOL, GUMPA,
BIDAR-585401.





(BY SRI. SANJAY KULKARNI, ADVOCATE)

...PETITIONERS

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF CO-OPERATION,
M.S. BUILDING, BANGALORE-560 001.
REPRESENTED BY ITS SECRETARY.
2. THE ADDITIONAL REGISTRAR OF COOPERATIVE
SOCIETIES
(CREDIT), ALI ASKAR ROAD,
BENGALURU-560001.
3. THE JOINT REGISTRAR OF COOPERATIVE SOCIETIES,
KALABURAGI REGION,
KALABURAGI-586101
4. THE DEPUTY REGISTRAR OF CO-OPERATIVE
SOCIETIES
BIDAR-585401
5. THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES,
SUB-DIVISION, BIDAR-585401
6. THE ENQUIRY OFFICER,/ASSISTANT REGISTRAR,
CO-OPERATIVE SOCIETIES, SUB-DIVISION
SEDAM-585222.
7. DISTRICT CENTRAL COOPERATIVE BANK LTD.,
BASAVESHWAR CIRCLE,
BIDAR-585401
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER,
8. THE MANAGING DIRECTOR,
NARANJA SAHAKARI SAKKARE KARKHANE NIYAMITA,
IMAMPUR, BIDAR-585401.

...RESPONDENTS



(BY SRI. MALLIKARJUN SAHUKAR, AGA FOR R1 TO R6;
SRI. S. S. HALALLI, ADVOCATE FOR R7;
V/O DATED 08.06.2026 NOTICE TO R8 D/W)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT IN A NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, DIRECTION, QUASHING THE INSPECTION REPORT UNDER ANNEXURE-H8 DATED NIL, NO. NIL PREPARED BY RESPONDENT NO. 6 AND ORDER UNDER ANNEXURE-J DATED 26.03.2025 IN NO. JRK/V-9/SEC 68(1) / DIRECTION/BDCC/2024-25/4041 PASSED BY RESPONDENT -3 AND ORDER PASSED BY THE APPELLATE AUTHORITY IE. RESPONDENT NO. 2 UNDER ANNEXURE-N TO N3 DATED 12.05.2025 IN APPEAL NO. AR (PATTU)/KME-08/03/2025-26 APPEAL NO.AR(PATTU)KME-08/05/2025-26 APPEAL NO.AR(PATTU)KME-08/04/2025-26, AND APPEAL NO.AR(PATTU)KME-08/02/2025-26, B) SUCH OTHER WRIT OR ORDER AS DIRECTION AS DEEMED FIT AS CIRCUMSTANCES OF THE CASE INCLUDING AN ORDER FOR COSTS.

THIS PETITION, COMING ON FOR ORDERS THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

1. In this petition, the petitioners seek the following reliefs:

(a) Issue a writ in the nature of certiorari or any other appropriate writ, direction, quashing the inspection report under Annexure-H8 dated Nil, No.Nil prepared by respondent No.6 and order under



Annexure-J, dated 26.03.2025, in No.JRK/V-9/Sec.68(1)/Direction/BDCC/2024-25/4041 passed by respondent No.3 and order passed by the appellate authority i.e. respondent No.2 under Annexure-N to N3, dated 12.05.2025 in Appeal No.AR (Pattu)KME-08/03/2025-26, Appeal No.AR (Pattu)/KME-08/05/2025-26, Appeal No.AR(Pattu)KME-08/04/2025-26 and Appeal No.AR(Pattu)/KME-08/02/2025-26 in the interest of justice;

(b) Such other writ or order as direction as deemed fit as circumstances of the case including an order for costs;

2. A perusal of the material on record will indicate that, the impugned proceedings pending before the 2nd respondent-appellate authority arise out of an Inspection Report dated 26.03.2025 and both of which were also the subject matter of the appeal before the 2nd respondent appellate authority and their aggrieved parties having preferred W.P.No.202314/2025, this Court passed the following order:

ORAL ORDER

1. *A perusal of the material on record will indicate that, the petitioners are the members of the Board of*



Directors of the respondent No.8 – Co-operative Society against whom an enquiry report dated 19.03.2025 is issued under Section 65 of the Karnataka Co-operative Societies Act, 1959 (for short 'the Act, 1959') as well as an order under Section 68 dated 26.03.2025 were passed which were challenged by the petitioners by filing an appeal in No.8/01/205-26 before the respondent No.2-appellate authority under Section 106 of the Act, 1959.

2. *It is the grievance of the petitioner that, having passed an interim order of stay in favour of the petitioner on 21.04.2025, the 2nd respondent appellate authority proceeded to pass the impugned order dated 12.05.2025 vacating the said order of stay without providing any opportunity to the petitioner who is before this Court by way of the present petition.*

3. *When the matter came up before this Court on 22.08.2025, this Court passed the following order:*

"Sri. Jayakumar S. Patil, Senior counsel on behalf of Sri. Amresh S. Roja, for petitioners has appeared through video conferencing.

Sri. Amresh S. Roja, counsel for petitioners has appeared in person.

Counsel on behalf of Sri. S.S.Halalli, has appeared in person and submits that counsel Sri. S.S.Halalli, has filed vakalath on behalf of respondent No.7.

Submission is noted. If the vakalath is filed, office is directed to print the name of Sri. S.S.Halalli, as counsel appearing for respondent No.7 in the cause.

Office is directed to delete the name of counsel Sri. Mahadev Patil, from the cause title.

Government Advocate is directed to take notice on behalf of respondents 1 to 6.



Issue emergent notice to respondent No.8, if process fee is paid.

Counsel for the petitioners is directed to serve the copy of the Writ Petition along with Annexures to Government Advocate.

There shall be an interim order of stay as prayed for.

The process to be paid within a week's time, failing which, interim order granted by this Court stands vacated automatically without reference to Bench."

4. *A perusal of the impugned order will indicate that, on 11.04.2025, the 2nd respondent appellate authority passed an interim order of stay and the matter was adjourned to 03.05.2025 on which date the matter subsequently was again adjourned to 30.05.2025, however, at the instance of contesting respondents, the matter was preponed from 30.05.2025 to 12.05.2025 and the sole ground/reason on which the interim order was vacated is by noting the absence of the petitioners and their learned counsel. However, having regard to the fact that, the petitioner is enjoying the benefit of interim order passed by this Court from 22.08.2025 even till today coupled with the fact that the instant appeal is still pending adjudication before the 2nd respondent appellant authority, I deem it just and appropriate to dispose of this petition by issuing certain directions to the first appellate authority and to the parties for disposal of the appeal in accordance with law.*

5. *In the result, the petitioner is hereby disposed of with the following observations:*



ORDER

(i) *The impugned order dated 12.05.2025 passed in Appeal No.AR(Pattu)/KME-08/01/2025-26 by the first appellate authority is hereby modified;*

(ii) *The first appellate authority is directed to dispose of the appeal on merits and in accordance with law, within a period of three months from the date of receipt of copy of this order;*

(iii) *It is further directed that, till disposal of the appeal filed by the first appellate authority, the interim order passed by this Court dated 22.08.2025 shall continue to remain in force and operate between the parties without prejudice to their rights and contentions;*

(iv) *All rival contentions on all aspects of the matter are kept open and no opinion is expressed on the merits/demerits of the rival contentions.*

3. Accordingly, the following order:

ORDER

(i) The impugned orders at Annexures-N, N1, N2 and N3 dated 12.05.2025 passed in Appeal No.AR(Pattu)/KME-08/03/2025-26, Appeal No.AR(Pattu)/KME-08/05/2025-26, Appeal No.AR(Pattu)/KME-08/04/2025-26 and Appeal No.AR(Pattu)KME-08/02/2025-26, by the first appellate authority is hereby modified;



(ii) The first appellate authority is directed to dispose of the appeal on merits and in accordance with law, within a period of three months from the date of receipt of copy of this order;

(iii) It is further directed that, till disposal of the appeal filed by the first appellate authority, the interim order passed by this Court dated 03.09.2025 shall continue to remain in force and operate between the parties without prejudice to their rights and contentions;

(iv) All rival contentions on all aspects of the matter are kept open and no opinion is expressed on the merits/demerits of the rival contentions.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE