

Gujarat High Court

Kashibhai vs Registrar on 3 August, 2011

Author: Abhilasha Kumari,

Gujarat High Court Case Information System

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SCA/8783/2011    2/ 2    ORDER

IN  
THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL  
CIVIL APPLICATION No. 8783 of 2011

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KASHIBHAI  
NARANDAS PATEL & 1 - Petitioner(s)

Versus

REGISTRAR  
COOPERATIVE SOCIETY GUJARAT STATE - Respondent(s)

=====

Appearance  
:  
MR  
B S PATEL, LEARNED ADVOCATE FOR MR CHIRAG B PATEL  
for  
Petitioner(s) : 1 - 2.  
MR J K SHAH, LEARNED ASSISTANT GOVERNMENT  
PLEADER for  
Respondent(s):1,  
=====

CORAM

:

HON'BLE

SMT. JUSTICE ABHILASHA KUMARI

Date  
: 03/08/2011

ORAL  
ORDER

Heard Mr.B.S.Patel, learned advocate for Mr.Chirag B. Patel, learned advocate for the petitioner, for some time. Learned advocate for the petitioner has submitted that the foundation of the notice, issued under Section 76-B of the Gujarat Co-operative Societies Act, 1961, to the petitioner is that he has not made a deposit of Rs.20,000/-, which is not the correct position, as is evident from communication dated 28.01.2011, by the Bank to the District Registrar, indicating that the petitioner has made a deposit of more than Rs.20,000/-. It is further submitted that the provisions of Section 115-C of the Gujarat Co-operative Societies Act, 1961, do not contemplate that the deposit of Rs.20,000/- should be made, three years prior to the election.

Notice, returnable on 17.08.2011.

It is open to the petitioner to apply for an adjournment, if the hearing of the matter before the concerned authority is to take place before the next date of hearing.

In addition to the normal mode of service, Direct Service, today, is also permitted.

[SMT.

ABHILASHA KUMARI, J.] ..mitesh..

Top