

Case Name: - A Channegowda v. Registrar of Coop. Societies

Citation: - 2022 SCC OnLine Kar 171

Link: - <http://www.sconline.com/DocumentLink/6H0588uA>

Judgement: - <https://share.google/jEr5Vc6tIsTzuEjWQ>

Conclusion: -

Appeal No. 380/2011 and 381/2011

Forum: Karnataka Appellate Tribunal (KAT), Bengaluru.

Origin Date: 2011.

The Original Subject: These appeals were filed to challenge orders passed by the Joint Registrar of Co-operative Societies (JRCS), Mysore Division.

While the exact details of the 2011 dispute aren't explicitly typed in the 2022 dismissal order, cases involving the Joint Registrar (Mysore Division) and A. Channegowda typically stem from one of two scenarios prevalent in Karnataka Co-operative law:

Disqualification (Section 29-C): A common "starting point" for these cases is a proceeding under Section 29-C of the Karnataka Co-operative Societies Act. This usually happens when a director or member is accused of being a "defaulter" (failing to pay back loans) or being ineligible to hold office.

Surcharge Proceedings (Section 68/69): These involve allegations of financial mismanagement or recovery of funds from society members.

In the High Court, the case was officially titled:

A. Channegowda and Another vs. Joint Registrar of Co-operative Societies Mysore Division and Another

(Writ Petition No. 3164 of 2019)

The 2011 appeals were the "foundation." The 2019 Writ Petition was a challenge to the outcome of those 2011 appeals. By failing to show up in 2022, the petitioners effectively "threw away" their chance to overturn the 2011 decisions.

since the High Court dismissed the petition for non-prosecution, the 2011 orders from the Karnataka Appellate Tribunal now stand as the final word on the matter.

Summary of the Court's Decision

Initial Absence: On January 11, 2022, no one appeared in court to represent the petitioners (A. Channegowda and another).

Final Warning: The Court granted a one-week grace period, listing the matter again for January 18, 2022, with a clear warning that failing to appear would lead to a dismissal.

The Final Order: On January 18, 2022, the matter was called out, and again, there was no representation for the petitioners. Consequently, Justice R. Devdas ordered the dismissal of the petition.

Case Name: - A Ibrahim v. Registrar of Coop. Societies

Citation: - 2025 SCC OnLine Kar 3293

Link: - <http://www.sconline.com/DocumentLink/hyA2vh19>

Judgement: - <https://share.google/3O6BzkoQITsGacdmV>

Conclusion: -

Case Name: A Ibrahim ... Petitioner; Versus Deputy Registrar of Co-Operative Societies and Others ... Respondents.

Case Number: Writ Petition No. 10618 of 2022 (CS-RES).

Court: High Court of Karnataka (Bengaluru Bench).

Decided on: April 17, 2025.

Judge: Hon'ble Mr. Justice Suraj Govindaraj.

The Origin: -

The case appears to have started with an auction of the petitioner's (A. Ibrahim) property on December 30, 2014. This auction was conducted by the 3rd and 4th respondents (likely officials or representatives of a cooperative society).

Timeline of Key Events

December 30, 2014: An auction of the petitioner's "schedule property" was held.

February 27, 2015: Following the auction, a Sale Certificate was issued (dated March 22, 2015), and the property was officially registered in favor of Respondent No. 5 before the Sub-Registrar in Puttur.

Administrative Appeal: A. Ibrahim challenged the actions of the cooperative society through an administrative appeal (Appeal No. 1/15-16).

April 5, 2022: The Deputy Registrar of Co-operative Societies (Dakshina Kannada, Mangalore) passed an order in that appeal which was unfavorable to the petitioner.

Filing of the Writ Petition

Dissatisfied with the Deputy Registrar's decision, the petitioner filed Writ Petition No. 10618 of 2022 in the High Court of Karnataka. Through this petition, he sought:

To Quash the Order (05.04.2022): He wanted the court to nullify the Deputy Registrar's decision.

To Quash the Sale: He wanted to cancel the 2014 auction and the 2015 registration of his property to Respondent No. 5.

The matter reached the stage shown because the petitioner invoked the extraordinary jurisdiction of the High Court under Articles 226 and 227 of the Constitution of India. These articles allow citizens to challenge the legality of orders passed by government officials or quasi-judicial bodies (like the Deputy Registrar).

The conclusion of the case is that the petition was dismissed for non-prosecution.

According to the "ORAL ORDER": -

Reason for Dismissal: The petitioner's advocate was absent, and the petitioner failed to pay the required process fee despite a previous court order dated April 3, 2025.

Court's Finding: The court concluded that the petitioner was "not interested in prosecuting the matter."

Final Action: As stated in paragraph 2, "the petition is dismissed for non-prosecution."

In short: The case arose from a dispute over a property auction in 2014, which the petitioner fought through administrative channels for years before finally bringing it to the High Court in 2022 to seek the restoration of his property rights. However, as noted in the conclusion, the case was ultimately dismissed because the petitioner stopped appearing in court and failed to pay the required fees.