



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**

D.B. Special Appeal Writ No. 898/2026
CNR: RJHC010794182026 | URN: SAW / 1776U / 2026

Smt. Megha Tak W/o Shri Saurabh Tak, Aged About 40 Years,
Resident Of Flat No. 401, Ujjwal Apartment, 4-Bhatt Ji Ki Bari,
Udaipur, District Udaipur (Rajasthan).

-----Appellant

Versus

1. State Of Rajasthan, Through The District Collector, Udaipur, Situated At Collectorate, Udaipur (Rajasthan).
2. The Official Liquidator, Adarsh Credit Co-Operative Society Limited Through The Liquidator Situated At 14, Vidhya Vihar Colony, Opposite Hotel Fortune, Usmanpura, Ashram Road, Ahmedabad (Gujarat)
3. Office Of The Central Registrar Of Cooperative Societies, Through The Central Registrar And Additional Secretary, Situated At 900, 9Th Floor, Tower-A, World Trade Centre Nauroji Nagar, New Delhi-110029.
4. Om Prakash Saurabh Tak And Party (Association Of Persons), Through Shri Saurabh Tak, Situated At Bhuvana, Riddhi Siddhi Park, New Naratan Complex, B.o. Balicha, Udaipur (Rajasthan).

-----Respondents

D.B. Special Appeal Writ No. 902/2026
CNR: RJHC010794662026 | URN: SAW / 1783U / 2026

Mahesh Kumar Tak S/o Sh. Bhuralal Tak, Aged About 66 Years,
Resident Of 17-A, Shanti Nagar, Sirohi, Rajasthan.

-----Appellant

Versus

1. State Of Rajasthan, Through The District Collector-Sirohi, Situated At Collectorate, Sirohi, Rajasthan.
2. Office Of The Liquidator, Adarsh Credit Co Operative Society Limited Through The Liquidator, Situated At 14, Vidhya Vihar Colony, Opp. Hotel Fortune, Usmanpura, Ashram Road, Ahemdabad (Gujarat).



3. Office Of The Central Registrar, Of Cooperative Societies Through The Central Registrar And Additional Secretary, Situated At 900, 9Th Floor, Tower E, World Trade Centre Nauroji Nagar, New Delhi 110029.

-----Respondents

D.B. Special Appeal Writ No. 900/2026

CNR: RJHC010794612026 | URN: SAW / 1780U / 2026

Mahesh Kumar Tak S/o Sh. Bhuralal Tak, Aged About 66 Years, Resident Of 17 A, Shanti Nagar, Sirohi, Rajasthan.

-----Appellant

Versus

1. State Of Rajasthan, Through The District Collector- Sirohi, Situated At Collectorate, Sirohi, Rajasthan.
2. Office Of The Liquidator- Adarsh Credit Co-Operative Society Limited, Through The Liquidator, Situated At 14, Vidhya Vihar Colony, Opp. Hotel Fortune, Usmanpura, Ashram Road, Ahemdabad (Gujarat).
3. Office Of The Central Registrar Of Cooperative Societies, Through The Central Registrar And Additional Secretary, Situated At 900, 9Th Floor, Tower E, World Trade Centre Nauroji Nagar, New Delhi - 110 029.

-----Respondents

D.B. Special Appeal Writ No. 838/2026

CNR: RJHC010690212026 | URN: SAW / 1615U / 2026

Megha Tak W/o Sh. Saurabh Tak, Aged About 39 Years, Resident Of 401, Ujjwal Appartment, 4 Bhati Ji Ki Badi, Udaipur (Rajasthan).

-----Appellant

Versus

1. State Of Rajasthan, Through Its District Collector Udaipur, Situated At Collectorate, Udaipur (Rajasthan).
2. Office Of The Liquidator, Adarsh Credit Co Operative Society Limited Through The Liquidator, Situated At 14, Vidhya Vihar Colony, Opp. Hotel Fortune, Usmanpura,



Ashram Road, Ahmedabad (Gujarat).

3. Office Of The Central Registrar Of Cooperative Societies, Through The Central Cooperative Societies Through The Central Registrar And Additional Secretary, Situated At 900, 9Th Floor, Tower E, World Trade Centre Nauroji Nagar, New Delhi - 110 029.
4. Om Prakash Suarabh Tak And Party (Association Of Persons), Through Sh. Saurabh Tak, Situated At Bhuvana, Riddhi Siddhi Park, New Naratan Complex, B.o Balicha, Udaipur (Rajasthan).

-----Respondents

For Appellant(s) : Mr. Ravi Bhansali, Sr. Adv. assisted by
Mr. Sandeep Singh Shekhawat
Mr. Vipul Dharnia
Mr. Ankur Mathur

For Respondent(s) : Mr. Bharat Vyas, ASG through VC with
Mr. Vaibhav Bhansali

HON'BLE MR. JUSTICE MUNNURI LAXMAN
HON'BLE MRS. JUSTICE SANGEETA SHARMA

Order

18/08/2026

1. All these special appeals are directed against the interim orders passed at various stages of the writ petitions wherein the directions were given to maintain status quo with regard to the properties under attachment. The said attachment orders are under challenge in the writ petitions. Subsequently, further orders were passed, whereby a Special Committee was constituted headed by the retired Hon'ble Chief Justice of India Mr. Justice Sanjiv Khanna. The present appeals have been filed challenging the said order.
2. The main argument of learned Senior Counsel appearing for the appellants is that the challenge was made to the order of



attachment in respect of third party property. Such a power was not vested with the liquidator and the same issue was adjudicated by the learned Single Judge of this Court sitting at Jaipur in **Kala Chauhan Vs. State of Rajasthan & Ors.** and connected matters in S.B. Civil Writ Petition No.723/2026 where under it was held that the liquidator has no power of attachment so far as the third party properties are concerned.

3. Learned ASG appearing for the respondents submits that these special appeals are directed only against the interim orders and the final adjudication is yet to be made. He also submits that the judgment in Kala Chauhan (supra) is not applicable to the facts and circumstances of the present case and writ petitions require consideration. He also submits that the interim order granting status quo cannot be disturbed at this stage, as it is necessary to preserve the properties until the writ petitions are adjudicated. He also submits that the order of appointing the retired Hon'ble Chief Justice of India was a consensus order.

4. Learned Senior Counsel appearing for the appellants submits that it is not a consensus order, it is a discretion exercised by the learned Single Judge.

5. We have gone through the impugned order. The impugned order dated 28.07.2026 does not refer to any specific agreement between the parties for appointing a retired Hon'ble Chief Justice of India to adjudicate the disputes among the various parties to the writ petitions. The main grievance of the learned Senior Counsel appearing for the appellants is that such an appointment violates the statutory scheme existing under the Multi State Cooperative Societies Act, 2002 (hereinafter referred to as "Act of



2002"). There are various forums to adjudicate such an issue and such a power cannot be conferred upon the retired Hon'ble Chief Justice of India, as it would violate the statutory scheme.

6. There is no dispute that various provisions of the Act of 2002 prescribe its own mechanism for realization of the assets of a society which has become defunct and for which appointment of a liquidator was made and he has to take custody of society's assets. Upon appointment of the liquidator, all the assets of the society vest with the liquidator. The entire genesis of the dispute relates to the claim of the liquidator that the properties in question were purchased from the funds of the society and it was on that premise that the impugned order of attachment was passed.

7. Since the matter is pending before the learned Single Judge as to the sustainability of attachment orders, we are not inclined to go into the legal issue whether the liquidator had the authority to proceed in the manner in which he did, when such action is under challenge before the learned Single Judge.

8. We are of the view that until the adjudication is done in order to safeguard the properties in question, we are not inclined to interfere in the order of attachment or the order granting status quo by the learned Single Judge. However, we are inclined to set aside the order of appointing the retired Hon'ble Chief Justice of India as a one man commission to adjudicate the claims and counter claims of the parties to the writ petitions.

9. Since the adjudication is pending before the learned Single Judge the liquidator ought not to have given a direction to change the name of the owner by way of an interim direction. Status quo as on the date of 09.07.2026 shall continue. To that extent, the





appeals are allowed and disposed of. The matters are remitted to the learned Single Judge who is requested to hear and decide the writ petitions.

10. Pending application(s), if any, shall also stand disposed of.



(SANGEETA SHARMA),J

(MUNNURI LAXMAN),J

41,42,45 & (21 of C-3)/Suraj Kumar