



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

D.B. Civil Writ Petition No. 7224/2020

Simartha Ram

----Petitioner

Versus

State Of Rajasthan

----Respondent

Connected With

D.B. Civil Writ Petition No. 6402/2020

Bhanwarlal

----Petitioner

Versus

State Of Rajasthan

----Respondent

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For Petitioner(s)	:	Mr. Nikhil Jain Mr. Moti Singh
For Respondent(s)	:	Mr. Sudhir Tak, AAG Dr. RDSS Kharlia Mr. K.L. Chauhan Mr. Rajesh Shah Mr. S.S. Choudhary Mr. Bhavit Sharma

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**HON'BLE MR. JUSTICE VIJAY BISHNOI**  
**HON'BLE MR. JUSTICE PRAVEER BHATNAGAR**

**Order**

**08/05/2023**

1. By way of these petitions, the petitioners have raised the issue of large scale fraud in disbursement and waiver of loans by the Cooperative Banks as well as the Co-operative Societies of the State of Rajasthan.

2. This Court, time and again, taking note of the seriousness of the matter, has issued certain directions to the respondent-authorities. It is noticed that on 15.12.2021, direction was issued to the Joint Chief Auditor, Co-operative Department, Rajasthan to



conduct audit proceedings of the Cooperative Banks and Cooperative Societies within a period of three months. Thereafter, a compliance report in terms of the order dated 15.12.2021 was placed before this Court and on 10.05.2022, this Court has observed that in the compliance report submitted by the Joint Chief Auditor, irregularities in the matter of disbursement and waiver of loans have been found. This Court, therefore, has issued direction that copy of the report shall be forwarded to the Registrar Co-operative Societies, Rajasthan, who shall submit a compliance report before this Court with regard to needed action taken against those co-operative societies and its officials who are alleged to be involved in irregularities relating to disbursement and waiver of loan.

3. On 19.07.2022, this Court has taken note of the arguments of learned counsel for the petitioners that in the assembly, on a question raised by one of the Members of the Legislative Assembly, reply has been given on behalf of the State Government that as many as 2361 societies have been found involved in the irregularities and taking note of this fact, this Court has directed the learned AAG to file an affidavit of the Registrar, Cooperative Societies with reference to the proceedings of the Vidhan Sabha.

4. On 06.09.2022, this Court has again directed Mr. Sudhir Tak, learned AAG to file an affidavit of the Registrar, Cooperative Societies to satisfy the Court as to why criminal action has not been taken against the 12 societies referred to in the summary of the audit report against whom grave irregularities have been noticed during Audit.



5. On 13.10.2022, this Court has directed the Registrar, Cooperative Societies to remain present before this Court and pursuant to that on 21.10.2022, the Registrar, Cooperative Societies has appeared before this Court and assured that he is monitoring the entire lot of pending cases registered between the years prior to 1990 till 2019 and that appropriate action as per law shall be taken after the enquiries are concluded with a further assurance that the said action will be completed within two months.

6. Mr. Sudhir Tak, learned AAG has submitted that he has not received any instructions from the Registrar, Co-operative Societies regarding his assurance given before this Court on 21.10.2022.

7. At this stage, learned counsel for the petitioners Mr. Moti Singh and Mr. Nikhil Dungawat have pointed out that in the whole State of Rajasthan, regarding the fraud committed in disbursement and waiver of loans, as many as 16 FIRs have been lodged in different Districts of the State i.e. Barmer, Bharatpur, Churu, Jalore, Jhunjhunu and Sirohi. It is also submitted that in all those FIRs different Investigating Officers have been appointed who are of Assistant Sub-Inspector level. It is submitted that though the nature of allegations in those FIRs are almost similar, the Additional Director of the Police (Crime), Jaipur be directed to form an Investigating Team to investigate into all the 16 FIRs lodged in different Districts of the State of Rajasthan.

8. Taking into consideration the overall facts and circumstances of the case, we deem it appropriate to direct the Additional Director General of Police (Crime), Jaipur to constitute an



Investigating Team for investigating into all the 16 FIRs regarding irregularities in disbursement and waiver of loans in the State of Rajasthan and in Cooperative Banks as well as Cooperative Societies. The said Investigating Team shall conduct inquiry into all the FIRs and submit its final report to the concerned police station, which shall proceed further in accordance with law.

9. At the same time, we also direct the Registrar, Cooperative Societies to apprise this Court as to why action proceedings have not been completed within two months against the guilty persons as assured by him before this Court on 21.10.2022.

10. List these matters in the month of July, 2023.

11. Learned AAG shall submit the latest report with regard to compliance of the directions issued by this Court today on the next date of hearing.

**(PRAVEER BHATNAGAR),J**

**(VIJAY BISHNOI),J**

25-Taruna/-