IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.1416 OF 2014

Rajaram s/o Kisanrao Potdar,
Age-66 years, Occ:Pensioner,
R/o-Lohara, Tq-Lohara,
Dist-Osmanabad

...PETITIONER

VERSUS

1) The State of Maharashtra,
Through Joint Registrar,
Lohara, Tq-Lohara,
Dist-Osmanabad,

2) Bhimshankar s/o Gundappa Palke,
Age-62 years, Occu:Moneylender,
R/o-Lohara, Tq-Lohara,
Dist-Osmanabad.

...RESPONDENTS

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Mr. N.R. Thorat Advocate for Petitioner.
Mr.K.S. Patil, A.P.P. for Respondent No.1.

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CORAM: S.S. SHINDE AND
A.I.S. CHEEMA, JJ.

DATE : 22ND JUNE, 2015

ORAL ORDER :

1. Heard.

2. Already grievance of the Petitioner was considered in Writ Petition No.1074 of 2013. Said Writ Petition was decided on 18th February 2014 directing the Respondents herein to decide the application filed by the Petitioner, in case the said application is not decided earlier.

3. It appears that Assistant Registrar, Co-operative Societies, Tq-Lohara, Dist-Osmanabad has already decided the application filed by the Petitioner and to that effect he has communicated the said decision to the present Petitioner by letter dated 6th April 2011.

4. The counsel appearing for the Petitioner submits that said letter/order dated 6th April 2011 is under challenge in this Petition.

5. The contents of the said letter dated 6th April 2011 itself makes clear that said authority

has opined that said authority has no jurisdiction to entertain the prayer of the Petitioner and the Petitioner can approach to the competent Court. It is difficult to understand that when there is no order on merits, in as much as, the application of the Petitioner and grievance raised therein is not decided by the said authority and the Petitioner is advised to approach the competent Court, the Petitioner has filed the present Petition, which raises disputed questions of facts. Filing successive Petitions without understanding controversy involved, is abuse or process of the Writ Court. Such practice of filing Petition without approaching the competent forum is deprecated.

6. The Writ Petition stands rejected.

[A.I.S.CHEEMA,J.] **[S.S. SHINDE, J.]**

asb/JUN15