

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 3254 OF 2013**

H. Mahabalappa

....Petitioner.

Vs.

The Divisional Joint Registrar & Ors.

....Respondents.

Mr. Hitesh Shah for the Petitioner.

Ms. Aparna Vhatkar, AGP for Respondent No.1-State.

Mr. Ganesh Kamath i/by Mr. Napoleon Tuscana for Respondents.

CORAM:- ANOOP V. MOHTA, J.**DATE :- 30 JANUARY 2015.****P.C:-**

Rule. Rule, returnable forthwith.

Heard finally by consent of the parties.

2 In pursuance to the orders passed by this Court, a statement is made by the learned counsel appearing for the Petitioner that requisite 50% amount has been deposited in this Court, which is mandatory for hearing of Revision Application filed by the Petitioner against the recovery certificate under Section 101 of the Maharashtra Co-operative Societies Act, 1960.

3 Therefore, in the interest of justice and for the above reasons, I am inclined to set aside the impugned order of dismissing

the Revision Application for non-compliance as referred above dated 13 March 2012. The Revision Application is restored to file of Divisional Joint Registrar of Co-operative Societies, Konkan Division, Navi Mumbai. The matter be heard in accordance with law, by giving opportunity to all the concerned. It is directed that the amount deposited by the Petitioner in this Court, be transferred to the Divisional Joint Registrar of Co-operative Societies, Konkan Division, Navi Mumbai and appropriate order be passed after disposal of the Revision Application with regard to this deposit made by the Petitioner.

4 In view of above, the Writ Petition is disposed of, with no order as to costs.

5 Rule disposed of accordingly.

(ANOOP V. MOHTA, J.)