

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7523 OF 2015

Mr. Narasinga Sahu and ors. : Petitioners.
Versus
The Hon'ble Minister of Co-operation
Mantralaya Mumbai-32 and ors. : Respondents.

Mr. Omkar Nevgi i/by Mr. Santosh Sawant for the Petitioners.
Mr. S D Rayrikar AGP for the Respondent Nos.1 to 3.
Mr. M P Panchakshari for the Respondent No.5.

CORAM : R. M. SAVANT, J.
DATE : 06th August 2015

P.C.

1 The relief sought in the above Petition is a direction to the Respondent No.1 that the Revision Applications which are pending before him be directed to be disposed of within a particular time frame. The said Revision Applications have been filed against the certificates issued under Section 101 of the Maharashtra Co-operative Societies Act against each of the Petitioners for the alleged outstanding dues which the Petitioners owe to the Housing Society known as Sai Shakti Housing Society, Khargar, Navi Mumbai.

2 In view of the fact that the Revision Applications are filed against the certificates issued under Section 101 of the Maharashtra Co-operative Societies Act (for the brevity's sake herein after referred to as "the said Act") by the Divisional Joint Registrar, Co-operative Societies, CIDCO, the Revision

Applications in terms of Section 154(2) of the said Act would lie before the State Government. The learned counsel appearing for the Petitioners Shri Omkar Nevagi makes a statement that the Petitioners would comply with the mandate of Section 154 (2A) of the said Act in the matter of making the pre-deposit with the said Society. The same accordingly to be done within four weeks from date. The said amounts deposited by the Petitioners under Section 154 (2A) of the said Act would be kept separate in the account of the Society and would not be dealt with in any manner pending the Revision Applications filed by the Petitioners. The Revision Applications, if the compliance is made by the Petitioners of Section 154(2A) of the said Act, to be heard and decided by the Revisionary Authority i.e. the Hon'ble Minister for Co-operation, within a period of three months from date of the appearance of the parties. Since the parties have been directed to appear on 26/08/2015 as per the order dated 10/07/2015, the period of three months would start to run from then. In the event the amount is deposited by the Petitioners in compliance of Section 154(2A) of the said Act, then interim protection granted by the Revisionary Authority would operate in favour of the Petitioners and the Society would then be restrained from taking any coercive steps to recover the outstanding amounts from the Petitioners. If the steps have been taken to recover the amounts, the said proceedings would stand stayed for a period of four weeks from date, and if the amounts under Section 154(2A) of the said Act are deposited, the stay would continue pending the hearing and final disposal of

the Revision Applications. With the aforesaid directions the above Writ Petition is disposed of.

4 The concerned parties to act upon an ordinary copy of the instant order duly authenticated by the Court Associate/Sheristedar.

[R.M.SAVANT, J]