

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 8913 OF 2015

Takshashila 'C' Sahakari Griha  
Rachana Sanstha Maryadit .. Petitioner  
vs.  
Sachin Uttam Shinde and ors. .. Respondents

**WITH**  
WRIT PETITION NO. 8912 OF 2015  
Takshashila 'A' Sahakari Griha  
Rachana Sanstha Maryadit .. Petitioner  
vs.  
Sachin Uttam Shinde and ors. .. Respondents

Mr. Vikas V. Salunkhe for the Petitioners.  
Mr. A.D. parsekar for Respondent Nos.1 to 4.  
Ms Vaishali Nimbalkar, AGP for Respondent Nos. 7 to 9.

**CORAM : M. S. SONAK, J.**  
**DATE : 23 NOVEMBER 2015.**

**P.C. :-**

1] The learned counsel for the parties agree that both these petitions can be disposed of by common order.

2] The learned counsel for the Petitioners states that no relief is claimed for against Respondent Nos.5 and 6 in these petitions. Accordingly, leave is applied to delete the said Respondents in these petitions. Leave is granted. Necessary amendment to be carried out forthwith.

3] There is no necessity to entertain the present petitions. This is because the present petitions are directed against the two orders, i.e., orders made by the Appellate Authority and Revisional Authority, who have only remanded the issue of trifurcation of the Society to the Deputy Registrar, Cooperative Societies for fresh consideration, in accordance with law.

4] The learned counsel for the Petitioners points out that out of 111 members of the Society, it is only four members who are opposing the trifurcation. The remand has been ordered at the behest of said four persons, *inter alia*, to examine whether there was compliance with statutory rules with regard to publication of notice and afford of hearing.

5] In these circumstances, it is only appropriate that the remand order is upheld so that the Deputy Registrar is in a position to verify whether there have been statutory compliances. There is no jurisdictional infirmity in the making of impugned orders.

6] Accordingly, these petitions are dismissed. However, all contentions of all parties are kept open for decision by the Deputy

Registrar. The Deputy Registrar shall not be influenced by any observations made in the impugned orders or for that matter non-entertainment of the present petitions. Such observations are only *prima-facie* and for the purposes of order of remand. The Deputy Registrar shall address to all contentions of all parties and decide the matter in accordance with law. The Deputy Registrar is directed to dispose of the proceedings as expeditiously as possible and in any case within a period of four months from today.

7] Parties to appear before the Deputy Registrar on 9 December 2015 at 3.00 p.m. and produce an authenticated copy of this order.

8] All concerned to act on the basis of authenticated copy of this order.

**(M. S. SONAK, J.)**

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