

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD

WRIT PETITION NO.5567 OF 2016

Ambika Industries ... PETITIONER

VERSUS

Divisional Joint Registrar,  
Co-operative Societies, Aurangabad  
and others ... RESPONDENTS

.....

Shri P.K. Lakhotiya, Advocate for petitioner  
Shri B.A. Shinde, A.G.P. for respondent Nos.1 and 2  
Shri N.P. Bankar, Advocate for respondent No.3

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**WITH**

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CORAM: T.V. NALAWADE, J.

DATED: 23rd December, 2016.

ORAL ORDER :

1. The petitions are filed to challenge the orders made by the Divisional Joint Registrar, Aurangabad, by which the appeals filed by the present petitioner are sent the Divisional Joint Registrar, Latur. It is observed that, as the Bank is from Beed and for Beed district the Divisional Joint Registrar is created at Latur, the matter needs to be heard by the Divisional Joint Registrar, at Latur.

2. The learned counsel for the petitioner, the debtor, submitted that the matters filed under Section 101 of the Maharashtra Co-operative Societies Act, 1960 are pending before the Deputy Registrar of Co-operative Societies at Aurangabad and so, the matter arising out of the said proceedings will lie before the Divisional Joint Registrar from Aurangabad. On this, the learned counsel for the respondent Bank submitted that, there is only one authority created like the Assistant/ Deputy Registrar for consideration of proceedings filed under Section 101 of the Maharashtra Co-operative Societies Act, 1960 for entire Marathwada region for Urban Banks. It is clear that, due to this

circumstance, though the matter is arising from Beed under Section 101 of the Maharashtra Co-operative Societies Act, 1960, it is pending before the authority who is sitting at Aurangabad. The appellate authority needs to consider as to from which place the matter is coming and it can be said that the matter in appeal is coming from Beed and not from Aurangabad.

3. In view of the above circumstance, no fault can be found with the Divisional Joint Registrar who observed that the matter to be sent to the Divisional Joint Registrar at Latur, which has jurisdiction over the same. In the result, the writ petitions are dismissed. If the point of limitation arises, the aforesaid circumstances will be considered by the authority from Latur.

(T.V. NALAWADE, J.)