

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 2839 OF 2016**

Mr. Parshuram Kashinath Joshi & Ors.

....Petitioners.

Vs.

State of Maharashtra & Ors.

....Respondents.

Mr. A.V. Chatuphale for the Petitioners.

Ms. S.S. Bhende, AGP for Respondent Nos. 1 and 2.

Mr. Manoj A. patil, for Respondent No.3.

Mr. R.D. Soni i/by M/s. Ram and Co. for Respondent No.5.

Mr. Kishor S. Patil for Respondent No.7.

Mr. Sampatrao Pawar for Respondent No.8.

**CORAM : ANOOP V. MOHTA AND
G.S. KULKARNI, JJ.**

DATE : 25 AUGUST 2016.

ORDER:-

Upon hearing the learned counsel appearing for respective the parties, we are inclined to dispose of the present Writ Petition as the alternate remedy is available to the Petitioners against the impugned order/action under the Maharashtra Co-operative Societies Act, 1960 (MCS Act), the learned counsel for the Petitioner seeks to withdraw the present Petition.

2 However, considering the averments made, at this stage, to avoid further complications, we are inclined to extend the protection so granted by order dated 7 March 2016, till the disposal of the statutory Appeal/remedy available to the Petitioner. The Petitioner to invoke the statutory remedy, as early as possible, preferably within three weeks from today. The protective order to continue for two weeks thereafter, if adverse order is passed by the Appellate Authority, against the Petitioner. It is made clear that the statutory Appeal will be disposed of independently, uninfluenced by the order passed by this Court.

3 Writ Petition is accordingly disposed of, as withdrawn, with liberty.

(G.S. KULKARNI, J.)

(ANOOP V. MOHTA, J.)