

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10404 OF 2016**

**Mr. Santosh Rajaram Chinchane
Vs.**

..Petitioner

Mr. Yuvraj Jitendra Patil & Ors

..Respondents

Mr. M. K. Irani for the Petitioner

**Mr. A. G. Damle Senior Advocate i/b Mr. Hemant Ghadigaonkar for the
Respondent Nos.1 to 3**

Mr. S. D. Rayrikar AGP for the Respondent No.5

CORAM : R. M. SAVANT, J.

DATE : 7th DECEMBER, 2016

P.C.

1 The Petitioner seeks to challenge the order dated 20-12-2013 passed by the Divisional Joint Registrar, Pune Division, Pune, by which order, the Appeal filed by the Respondent Nos.1 and 2 herein came to be allowed and the original society Kalpavriksha Co-operative Housing Society Ltd has been bifurcated in two societies and the land on which the Petitioner society was situated has been apportioned between the two societies. The Petitioner herein was not a party to the proceedings leading to the impugned order dated 20-12-2013, however, the Petitioner seeks to challenge the order on the ground that he is aggrieved by the same. As indicated above the impugned order has been passed in an Appeal filed under Section 152 of the Maharashtra Co-operative Societies Act. Against such an order the remedy by way of a Revision is available under Section 154 of the said Act. It is therefore

not necessary for this Court to entertain the above Petition. The Petitioner may therefore avail of the said remedy or any other remedy that the Petitioner chooses to adopt. In case any such proceedings are filed, needless to state that the same would be tried on their own merits and in accordance with law. All the contentions of the parties are kept open including the locus of the Petitioner for being urged in the said proceedings. The Writ Petition is accordingly dismissed.

[R.M.SAVANT, J]