

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Writ Petition NO. 8751 OF 2016

Shri. Umesh Gajanan Pathak

...Petitioner

*Versus*1.The State Of Maharashtra Through Ministry Of
Corporation Through Govt. Pleader Office And Ors

...Respondents

*Mr.Hemant Ghadigaonkar, for the Petitioner.**Mr.V.N.Sagare, AGP for the State-Respondents.*

**CORAM : ANOOP V. MOHTA &
G.S. KULKARNI, JJ.****DATE : 28th July, 2016.**

ORDER:

1. On hearing the Petitioner, we are inclined to dispose of the present Writ Petition as though a statutory remedy is invoked by the Petitioner by filing revision under Sections 152 and 154 of the Maharashtra Co-operative Societies Act,1960 alongwith a prayer for stay, no hearing has been given on the interim prayers for a stay. That has compelled the Petitioner to file a Revision before the State Government and the same is also not entertained for want of specific order even on the interim application filed by the Petitioner. This rendered the Petitioner helpless, so far as his prayer for stay is concerned.

2. In the interest of justice, therefore, at this stage, we are inclined to observe that no coercive steps be taken against the Petitioner for possession of the premises is concerned till the stay application is decided. This is on the statement that the Petitioner has already deposited an amount to the tune of Rs.40,00,000/- though not a full amount.

3. Respondent No.3 to decide the stay application on the Revision Application as early as possible. Till the decision, no coercive steps against the Petitioner.

4. The petition is accordingly disposed of with liberty.

(G.S.KULKARNI, J.)

(ANOOP V. MOHTA, J.)