

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10091 OF 2014

Mrs. Sharadini S. Rane

.. Petitioner

vs.

Chairman, Lokmanya Nagri

Sahakari Patsanstha Maryadit and ors.

.. Respondents

Mr. Sunil G. Karandikar for the Petitioner.

CORAM : M. S. SONAK, J.

DATE : 18 JANUARY 2016.

P.C. :-

1] The challenge in this petition is to the order dated 19 June 2014, by which, the Petitioner has objected to the maintainability of the proceedings before the Cooperative Court, on the ground that such proceedings were barred by law of limitation.

2] Both the Cooperative Court as well as the Appellate Court, have held that the issue of limitation in this case is a mixed question of fact and law and therefore, the same can be considered alongwith other issues, which arise in the proceedings. There is no jurisdictional error in the approach adopted by the two Courts.

3] Accordingly, this petition is dismissed. There shall, however, be no order as to costs.

(M. S. SONAK, J.)