

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.2166 OF 2016

M/s. Shehnai Banquets and another

..Petitioners

Versus

**The Special Recovery & Sale Officer
attached to Maratha Sahkari Bank Ltd.
and others**

..Respondents

Mr. Jamshed Ansari a/w Mr. Darish Ansari for the Petitioners.

Mr. K. S. Dewal i/by Mr. J. M. Joshi for the Respondent Nos.1 & 2.

Mr. Rajiv Mane, AGP for the Respondent Nos.3 to 5.

CORAM : R. M. SAVANT, J.

DATE : 22nd SEPTEMBER, 2016

PC.

1 The writ jurisdiction of this Court is invoked against the order dated 02.08.2016 passed by the Divisional Joint Registrar, Co-operative Societies, Mumbai Division, Mumbai, by which order, the Revision Application No.16 of 2016 filed by the Petitioner came to be dismissed.

2 The said Revision Application No.16 of 2016 was filed challenging the communication dated 18.11.2015 addressed to the Respondent Nos.1 and 2 herein. By the said communication, the District Deputy Registrar, Co-operative Societies (3), Mumbai communicated to

(17) -WPL -2166-16. doc.

the said addressees that the period of the validity of the upset price is extended by a period of three months. The Revision Application filed by the Petitioners against the said communication as indicated above has been dismissed by the impugned order dated 02.08.2016 for the reasons mentioned in the impugned order. It is not necessary to go into the merits of the impugned order in view of the fact that the period of three months by which the validity of the upset price was extended has come to an end long back i.e. sometime in February 2016. In view thereof, the cause of action for filing the above Writ Petition does not survive and the Writ Petition has in fact has turned infructuous. The Writ Petition is accordingly disposed of as having turned infructuous.

[R.M.SAVANT, J]