

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9823 OF 2017

GORAKH BABAN KOLHE
VERSUS
MIRAJGAON GRAMIN BIGERSHETI SHAHAKARI
PATSANSTHA MARYADIT AND OTHERS

Advocate for Petitioner : Shri V.V. Tarde.

CORAM : RAVINDRA V. GHUGE, J.
Dated : 09th August, 2017

PER COURT :

1. The petitioner is aggrieved by the impugned order dated 20/02/2017, by which, the Maharashtra State Co-operative, Appellate Court, Mumbai, Bench at Aurangabad, has allowed Revision No. 65/2016 and has thereby allowed the respondent/Society to carry out a change in the cause title in the proceedings in Dispute No. 215/2013, since it has undergone a change of name.

2. Learned counsel for the petitioner has strenuously criticized the impugned order, for the reason that the petitioner had taken loan from Miraj Nagari Sahakari Patsanstha, which

is, the old name of the said Society. The new name of the Society is Miraj Gramin Bigersheti Shahakari Patsanstha. Contention is that the petitioner has not taken loan from this Society and the dispute was being prosecuted under the old name of the Society and by the change of name, the Society changes and the earlier Society gets wiped out.

3. I am unable to accept these submissions for the reason that it is only the name of the Society that has undergone a change. It is not a case that the old Society has been closed down and de-registered and that the new Society is a completely different legal entity. It is only because the old name was given up and the Society decided to adopt a new name when the proceedings were pending.

4. Further grievance of the petitioner is that the change in name is sought when final arguments are to be advanced in the dispute. I do not find that by merely bringing on record, the changed name of the Society, even at that stage in the dispute, could cause gross injustice to the petitioner. This petition

appears to be frivolous and has resulted in unnecessarily consuming the time of the Court.

5. Before, I could order of imposition of costs, Shri Tarde, learned advocate for the petitioner has earnestly prayed for pardoning the petitioner. As such, this petition is dismissed without imposing costs.

(RAVINDRA V. GHUGE, J.)

S.P.C.