

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**WRIT PETITION NO. 8417 OF 2016
WITH
CIVIL APPLICATION NO. 15350 OF 2016
WITH
CIVIL APPLICATION NO. 16737 OF 2016**

Ashok Harkchand Sanghavi and Others ..PETITIONERS

VERSUS

State of Maharashtra and Others ..RESPONDENTS

....

Mr.M.D.Narwadkar, Advocate for petitioners and for applicants in CA16737/16.

Mr. D.B. Thoke, Advocate for applicant in CA 15350/16.

Mr. S.K. Tambe, A.G.P. for Respondent Nos.1 to 4 in WP.

Mr. P.D. Suryawanshi, Advocate for Respondent No.7 in WP.

....

**CORAM : RAVINDRA V. GHUGE, J.
DATED : 31st JULY, 2017**

ORDER :

1. The petitioners are aggrieved by the order dated 21st July, 2016 passed by the District Deputy Registrar, Co-operative Societies, Jalgaon. The basic contention is that under Section 83(4) of the Maharashtra Co-operative Societies Act, 1960, the copy of the report of the enquiry conducted under Section 83 should be necessarily supplied to the petitioners.

2. Though I do not find from Section 83 that the enquiry report has to be supplied to the petitioners, Section 154(1) and (2), according to the learned

A.G.P. provides for a statutory remedy to the petitioners to approach the Registrar or the Joint Registrar, Co-operative Societies, as the case may be, for challenging the order passed by the District Deputy Registrar, Co-operative Societies, Jalgaon.

3. The learned Counsel for the petitioners therefore submits that in the event this Court is inclined to relegate the petitioners to the available remedy, it may be observed that all the contentions of the parties are kept open.

4. Considering the above, this petition is disposed of with liberty to the petitioners to avail of the remedy under Section 154. The time spent by the petitioners in this Court from 01st August, 2016 till the passing of this order shall be a ground to be canvassed for condonation of delay, if any. Needless to state, all the contentions of the litigating sides are kept open, in as much as, the authority which would deal with the revision, if filed by the petitioners, would also consider whether Section 83(4) requires supplying of the copy of the enquiry report under Section 83 to these petitioners.

5. Pending civil applications therefore do not survive and stands disposed of.

(RAVINDRA V GHUGE, J.)

SSD