

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9946/2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Chaitanya Nikte for the petitioner.
Mr. S. D. Rayrikar, AGP for the Respondent No.5.

CORAM : K. K. TATED, J.

DATE : JUNE 20, 2017

P.C.:

1. Heard. By this petition under Article 227 of the Constitution of India the Petitioner challenges the order dated 10.02.2015 passed by the Hon'ble Minister of Cooperation, Marketing and Textiles, granting stay in respect of the order passed by the Authority u/s.88 of the Maharashtra Cooperative Societies Act, 1960 (said Act).

2. It is the contention of the petitioner that though stay was granted on 10.02.2015, till today the Appeal No.25/2015 is pending for hearing on merits.

3. The learned AGP, after taking instructions, makes a statement that they will decide the Appeal No.25/2015 filed by respondent No.6 – Managing committee u/s.152 of the said Act as early as possible but in any case within 3 months from today. The statement is accepted.

4. In view of the said statement made by the learned AGP for the respondent, the learned counsel for the petitioner seeks permission to withdraw the Writ Petition with liberty to make an appropriate application before the Authority raising their grievance. To that effect, he made an endorsement on a farad. Same is taken on record and marked "X" for identification.

5. Hence, following order is passed:

a. The Writ Petition stands disposed of as withdrawn with liberty as prayed for. '

b. The respondent No.1 is directed to decide Appeal No.25/2015 filed u/s. 152 of the Maharashtra Cooperative Societies Act, 1960 by respondent No.6 Managing Committee as early as possible but in any case within 3 months from the date of receipt of copy of this order.

c. Liberty granted to the petitioner to make an appropriate application, if they so desire, before the Authority in pending appeal No.25/2015, which will be decided on merits.

d. Parties to act on an authenticated copy of this order.

JUDGE