

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**LETTERS PATENT APPEAL NO.182 OF 2006
IN
WRIT PETITION NO.8279 OF 2005**

S.S. Pradhan

.... Appellant

versus

Prabhadevi Himgir Co-op Housing Society Ltd.
and Ors.

... Respondents

.....

- None for the Appellant.
- Mr.B.V. Samant, AGP for State/Respondents Nos.2 to 4.

**CORAM : SMT. VASANTI A. NAIK &
SARANG V. KOTWAL, JJ.
DATE : 20th DECEMBER, 2017.**

P.C. :

By this Letters Patent Appeal, the appellant has appealed against the order of the learned Single Judge dated 15/06/2006 in Writ Petition No.8279/05, dismissing the writ petition filed by the appellant after holding that the revision u/s 154 of the Maharashtra Co-operative Societies Act, was not maintainable.

The learned Assistant Government Pleader states that the issue involved in this case stands answered against the appellant by the Full Bench Judgment of this Court, in the case of Smt. Shireen Sami Gadiali Vs. Spenta Co.op. Hsg. Soc. Ltd., reported in 2011 (3) Mh.L.J.

486. It is stated that it is held by the Full Bench in the said judgment that an order passed in exercise of the revisional jurisdiction u/s 154 cannot be again subjected to scrutiny in exercise of revisional jurisdiction u/s 154 of the Act.

We find much force in the submission made on behalf of the learned Assistant Government Pleader that the issue stands answered against the appellant by the aforesaid judgment. On a reading of paragraph Nos.8 to 10 of the said judgment, it appears that a second revision u/s 154 of the Maharashtra Co-operative Societies Act would not be maintainable.

Hence, for the reasons recorded in the judgment reported in 2011 (3) Mh.L.J. 486, we dismiss the Letters Patent Appeal with no order as to costs.

(SARANG V. KOTWAL, J.)

(SMT. VASANTI A. NAIK, J.)