

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

WRIT PETITION NO.13799 OF 2016

Mr. Vinayak Narayan Rajmachikar

..Petitioner

Versus

Vrindavan Co-operative Housing Society Ltd.

Through Chairman/Secretary and others

..Respondents

Mr. Prashant Naik i/by Mr. S. R. Waghmare for the Petitioner.

Mr. P. S. Dani, Senior Advocate i/by Ms. Jui A. Nerurkar for the Respondent No.1.

Mr. S. D. Rayrikar, AGP for the Respondent Nos.2 to 4.

CORAM : R. M. SAVANT, J.

DATE : 9th FEBRUARY, 2017

PC.

1 Having regard to the fact that the impugned order dated 04.06.2014 passed by the Divisional Joint Registrar is referable to Section 21A of the Maharashtra Co-operative Societies Act, 1960, and therefore an order passed on the application filed under the said provision (though referred to as an Appeal) and since the Petitioner would have a remedy by way of an Appeal before the State Government, it is not necessary to entertain the above Petition. By relegating the Petitioner to the said remedy, the above Writ Petition is disposed of. If the issue of limitation arises, the fact that the Petitioner was prosecuting the instant Petition in this Court from the year 2014 can be urged by the Petitioner and can be

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considered by the Appellate Authority. If the Appeal is filed within four weeks from date, the Appellate Authority may consider the same expeditiously.

[R.M.SAVANT, J]