

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

WRIT PETITION NO. 9082 OF 2017

Ranjit Mehta And Ors

...Petitioners

Versus

The State Of Maharashtra And Ors

...Respondents

Mr.Vijay Patil i/b Mr.S.A. Kocharekar for the Petitioners.

Mr.G.S. Godbole i/b Mr.Sumit Kothari for Respondent No.5.

Mr.Yashpal Jain a/w Mr.Nikhil Ghate for Respondent No.6.

Mr.S.D.Rayrikar, AGP for Respondent Nos.1 to 4-State.

CORAM : M. S. SONAK, J.

DATE : 20th SEPTEMBER 2017

P.C.

1. Not on board. Upon production, taken on board.
2. After this matter was argued for some time, the learned counsel for the contesting parties agree that this petition can be disposed of with the following order:-

(a) The impugned order dated 13th July 2017 made by the revisional authority is set aside and the matter is remanded to the revisional authority for fresh consideration of the revision petition. The revisional

authority is requested to dispose of the revision petition on its own merits and in accordance with law after afford of opportunity of hearing to all parties;

(b) The respondent No. 6 to deposit within a period of four weeks from today with the respondent No. 8 society an amount of Rs.3,75,020/- received by him from the Administrator, who was appointed to govern the affairs of the society in pursuance of the impugned order dated 13th July 2017;

(c) The revisional authority shall not hear the revision petitions instituted by the respondent Nos. 5 and 6 until, the respondent No. 6 deposits the aforesaid amount of Rs.3,75,020/- with the society and produces evidence before the revisional authority to that effect;

(d) The refund of the amount of Rs.3,75,020/- by the respondent No. 6, shall be without prejudice to the contentions of the respondent No. 6 in the pending appeal No. 16 of 2017, instituted by the respondent No. 6 before the Divisional Registrar;

(e) All contentions of all parties are left open for determination by the revisional authority, who shall dispose of the revision petition in accordance with law

and on its own merits after afford of opportunity of hearing to the parties concerned.

3. The revisional authority is requested to communicate its order to the parties. Further, in case, such order is adverse to the petitioners herein, the same shall not be implemented for a period of two weeks from the date of its communication.

4. All concerned to act on basis of authenticated copy of this order.

5. Writ petition is disposed of in the aforesaid terms.

(M. S. SONAK, J.)