

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

**WRIT PETITION No. 12257 OF 2017
WITH
CIVIL APPLICATION (ST) No. 31982 OF 2017
IN
WRIT PETITION No. 12257 OF 2017**

Shantaram G. Talekar and Ors.

....Petitioners

Vs.

The State of Maharashtra and Ors.

....Respondents

Mr. Sagar Talekar for Petitioners

Mr. S.D. Rayrikar, AGP for Respondent Nos.1 and 2

Mr. Chinmaye Acharya for Respondent No.3

Mr. Rakesh Agrawal for Applicant in CAWST No. 31982 of 2017

CORAM : M.S. SANKLECHA, J.
MONDAY, 4TH DECEMBER, 2017

P.C.

1. Civil Application (St.) No. 31982 of 2017 not on board. Mentioned.

Upon mentioning, taken up for consideration along with the petition.

2. This petition challenges the order dated 19th September, 2017 passed by the Divisional Joint Registrar, Co-operative Societies, Mumbai. The impugned order dated 19th September, 2017 disposed of the Petitioners' stay application in

a pending revision under section 154 of the Maharashtra Co-operative Societies Act, 1960 (the Act). The impugned order rejected the Petitioners' application for stay.

3. Mr. Rayrikar, learned AGP appearing for Respondent No.2- Divisional Joint Registrar, Co-operative Societies, who has passed the impugned order, states that the appeal itself would be disposed of within a period of four weeks from the conclusion of hearing. On instructions, Mr. Rayrikar states that the Petitioners' revision application is kept for hearing on 11th December, 2017 at 3.00 p.m. at which time, the Petitioners and also Mrs. Pranali Harishchandra Panchal and Mr. Harishchandra Panchal will appear and make their submissions. Mrs. Pranali Harishchandra Panchal and Mr. Harishchandra Panchal have taken out the civil application in this petition seeking to be impleaded or heard in the petition as intervenors. It is noticed that the impugned order records that Mrs. Pranali Panchal and Mr. Harishchandra Panchal, as caveators were heard and their submissions were also considered. .

1. In the above view, Respondent No.2- Divisional Joint Registrar is directed to hear the Petitioners as well as Mr. and Mrs. Panchal, the caveators before him, before taking decision in the matter.

2. Writ petition is disposed of in the aforesaid terms. In view of the above directions the civil application is not being pressed as it has become infructuous. No orders as to costs.

[M. S. SANKLECHA, J.]