

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2412 OF 2016

Rajesh Construction Company Private
Limited

.... Petitioner

Vs.

The Minister for Co-operation, Marketing
and Textiles & Others

.... Respondents

Mr. Vishal Kanade with Ms Priyanka Desai i/by Khaitan
& Co. for the Petitioner.

Mr. U.S. Upadhyay, AGP, for Respondent Nos.1 to 3.

CORAM: R.G. KETKAR, J.

DATE : AUGUST 02, 2017

P.C:

1. Heard Mr. Vishal Kanade, learned counsel appearing for the petitioner and Mr. U.S. Upadhyay, learned AGP for respondent Nos.1 to 3 and Mr. N.J. Ambedkar, Member of the fourth respondent.

2. By this petition under Article 226 of the Constitution of India, the petitioner has challenged order dated 30-9-2015 passed by respondent No.1, Hon'ble Minister for Co-operation,

Marketing and Textile. By that order, respondent No.1 allowed the revision application filed by Mr. Prakash Bansali, Secretary of Raj Arcade Tower “G” Wing Co-operative Housing Society Limited challenging order dated 25-11-2014, passed by respondent No.2, Divisional Joint Registrar, Co-operative Societies, Mumbai Division, Mumbai thereby restoring the Registration Certificate dated 4-10-2013, issued by respondent No.3, Deputy Registrar, Co-operative Societies.

3. One of the grounds raised in this petition is that, before passing the impugned order the petitioner/Company was not issued any notice and that the petitioner/Company did not receive any notice. In the impugned order, the Hon'ble Minister has recorded that none appeared on behalf of the petitioner at the time of hearing of the revision application.

4. In view thereof, Mr. Kanade, after arguing the petition for some time and upon taking instructions from Mr. Anuj Patel, General Manager (Administration), seeks permission to withdraw the petition with liberty to file a review petition or petition for recalling of the impugned order before the Hon'ble Minister. On

the motion made by Mr. Kanade, the petition is allowed to be withdrawn with the liberty as prayed for. All contentions of the parties in that regard are specifically kept open.

5. Order accordingly.

(R.G. KETKAR, J.)