

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 87 OF 2017

(Sanjay Prabhakar Rao Wankhede (Mardikar) and others ..vs.. The State of Maharashtra, through its
Secretary, Department of Co-operation and Textiles, Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.V. Samarth, learned Advocate for the petitioners,
Shri N.R. Patil, learned AGP for the respondent Nos.1 to 3,
Shri J.B. Kasat, learned Advocate for the respondent No.5,
Shri M.G. Bhangde, learned Senior Advocate assisted by Shri
S.N. Tapadia, Advocate for the intervenor.

CORAM : Z.A. HAQ, J.

DATED : 13-02-2017

Civil Application No.45/2017.

For the reasons stated in the application, the
intervenor is permitted to participate in the proceedings.

The civil application is allowed.

This order does not give right to the intervenor to
seek audience before the revisional authority and if such
application is made by the intervenor, it shall be
considered according to law.

Writ Petition No.87/2017.

Shri M.G. Bhangde, learned Senior Advocate
assisted by Shri S.N. Tapadia, Advocate for the
intervenor and Shri N.R. Patil, learned Assistant
Government Pleader for the respondent Nos.1 to 3
submit that the petitioners have alternate statutory

remedy available under Section 154 of the Maharashtra Co-operative Societies Act, 1960. Shri M.V. Samarth, learned Advocate for the petitioners has submitted that the petitioners have filed revision application before the State Government, however, inspite of their best possible efforts, it is not being taken up for consideration.

In the above facts, in my view, the following order would sub-serve the ends of justice :

- (i) The petitioners and the representatives of the respondent Nos.3, 4 and 5 and the intervenor shall appear before the revisional authority at Mumbai on 17-03-2017 at 11-00 a.m. and abide by the further instructions in the matter.
- (ii) The authority competent shall take up the revision filed by the petitioners under Section 154 of the Maharashtra Co-operative Societies Act, 1960 and shall pass appropriate orders on the revision or on the prayer of the petitioners for the interim orders, according to law.
- (iii) The interim order granted by this Court on 13-01-2017 shall continue till the revisional authority passes order on the prayer of the petitioners for grant of interim relief.

The petition is disposed in the above terms. In the circumstances, the parties to bear their own costs.

JUDGE

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