

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD***

WRIT PETITION NO. 10273 OF 2018

PURNAVAD NAGARI SAHAKARI PATSANSTHA MARYADIT
SHIRSOLI THROUGH FUNCTIONAL DIRECTOR
VERSUS
DIVISIONAL JOINT REGISTRAR CO OPERATIVE SOCIETIES
NASHIK AND OTHERS

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Advocate for Petitioner : Mr. Deshmukh Mahesh S.

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CORAM : N.M. JAMDAR, J.
Dated: November 27, 2018

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PER COURT :-

Heard the learned counsel for the petitioner.

2. The petitioner is aggrieved by the dismissal of the revision application filed by the Divisional Joint Registrar Co-operative Societies by the impugned order. The Divisional Joint Registrar has dismissed the application for default. Application is not dismissed on merits. The learned counsel for the petitioner states that, an application for restoration is not moved, as according to the petitioner they may not be a power of restoration as there is no specific provision of review under the Act. Parameters of procedural review are well established. It is not that the Divisional Joint Registrar has rejected

the application for restoration, since the petitioner has not made any. Only if the Divisional Joint Registrar rejects the application for recalling the order on the ground that it has no power, this position of law can be tested.

3. The learned counsel for the petitioner states that accordingly, the petitioner will make an application for restoration of the revision application. The application, if made, will be decided by the Divisional Joint Registrar on its own merits and after giving opportunity to the respondents.

4. It is open to the parties to challenge the decision rendered by the Divisional Joint Registrar thereafter. With these observations, writ petition is disposed of.

(N.M. JAMDAR, J.)

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