

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10500 OF 2014

**The Dinkar Nalawade Nagari Sahakari
Pat Sanstha Ltd.**

..... Petitioner

VERSUS

Hindurao Hari Jatar & Ors.

..... Respondents

Mr.A.M.Adagule for the Petitioner.

Mr.Chetan G.Patil for the Respondent no.1.

Ms.G.R.Golatkhar, A.G.P. for the State – Respondent nos. 3 and 4.

CORAM : R.D. DHANUKA, J.

DATE : 5th MARCH, 2018

P.C.

By this petition filed under Article 227 of the Constitution of India, the petitioner has impugned the order dated 12th March, 2014 passed by the learned Divisional Joint Registrar, in Revision Application No.650 of 2011 holding that the respondent no.1 had already deposited a sum of Rs.2,25,000/- against the recovery certificate of Rs.2,57,000/- plus interest at the rate of 15% from 1st October,2008. The learned authority observed that there is ambiguity in the amount awarded by the learned lower authority in the certificate issued under section 101 of the Maharashtra Co-operative Societies Act, 1960. In these circumstances, learned Divisional Joint Registrar hold that the applicant has complied with the provisions of section 154 (2A) of the Maharashtra Co-operative Societies Act, 1960 and has proposed to hear the matter finally. In view of the ad-interim stay

granted by this court, the said revision application could not be heard.

2. In view of the fact that there is ambiguity in the amount awarded by the lower authority in the certificate issued under section 101 of the Maharashtra Co-operative Societies Act, 1960, the learned Revisionary authority rightly considered that the amount paid by the petitioner in the sum of Rs.2,25,000/- against the recovery certificate of Rs. 2,57,000/- plus interest is in compliance with the requirement under section 154(2A) of the Maharashtra Co-operative Societies Act, 1960. I do not find any infirmity in the impugned order passed by the learned revisionary authority under section 154(2A) of the Act. Petition is devoid of merits and is accordingly dismissed.

3. The revisional authority shall dispose of the revision application on its own merits and expeditiously and not later than four months from the date of communication of this order.

4. Writ petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]