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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4679 OF 2018

Naresh H. Kanojia & Ors.	...Petitioners
V/s.	
Bipin K. Khuman & Ors.	...Respondents

WITH
CIVIL APPLICATION NO.1556 OF 2018
IN
WRIT PETITION NO.4679 OF 2018

Girish K. Parmar	Applicant
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IN THE MATTER BETWEEN :

Naresh H. Kanojia & Ors.	...Petitioners
V/s.	
Bipin K. Khuman & Ors.	...Respondents

Mr.Dilip G. Bagve i/b Mr.Kantilal H. Kanojia for the Petitioners.

Mr.G.S. Godbole with Mr.Jayesh Mistry I/b RMG Law Associates for the Respondent No.1.

Mr.P.S. Dani, Senior Counsel I/b Mr.Swapnil Patil for the Applicant in C.A.No.1556 of 2018 / Intervenor.

CORAM : R.D. DHANUKA, J.
DATE : 24TH JULY, 2018.

P.C. :-

1. The petitioners have impugned the order dated 17th March, 2018 passed by the learned Divisional Joint Registrar rejecting the application for stay filed by the petitioners in Revision Application

No.65 of 2018. Learned counsel for the parties state that the revision application filed by the petitioners itself is kept on board before the learned Divisional Joint Registrar on 26th July, 2018. Learned counsel for the parties also state that none of the parties would seek any adjournment before the learned Divisional Joint Registrar on 26th July, 2018 and even thereafter. The statement is accepted.

2. In my view, since the revision application itself is placed on board on 26th July, 2018 before the learned Divisional Joint Registrar, I am not inclined to hear the parties on merits at this stage. The petitioners are directed to pursue the said revision application before the learned Divisional Joint Registrar on 26th July, 2018. None of the parties shall seek any unnecessary adjournment before the learned Divisional Joint Registrar. Learned Divisional Joint Registrar shall also not grant any adjournment on 26th July, 2018 and shall hear the parties on merits and decide the matter in accordance with law. It is made clear that this Court has not expressed any views on the merits of the matter. All the contentions of both the parties are kept open. Learned Divisional Joint Registrar shall decide the matter without being influenced by the observations made in the impugned order dated 17th March, 2018.

3. In view of the fact that there is no stay granted by the learned Divisional Joint Registrar to the order dated 12th January,

2018 passed by the learned Deputy Registrar, Co-operative Societies, the remaining members of the Managing Committee are permitted to proceed with the managing committee meeting subject to quorum.

4. The writ petition is disposed of in aforesaid terms. There shall be no order as to costs.

5. In view of disposal of the writ petition, the Civil Application No.1556 of 2018 for intervention does not survive and is accordingly disposed off.

6. Learned Divisional Joint Registrar shall dispose of the said revision application expeditiously and not later than three months from the date of the first meeting.

7. All the parties as well as the Authorities to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)