

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5049 OF 2018
ALONGWITH
WRIT PETITION NO. 5050 OF 2018

Amod Sharma

..... Petitioner

VERSUS

The Deputy Registrar & Anr.

..... Respondents

Mr.Satyaprakash Sharma for the Petitioner.

Mr.S.D.Rayrikar, A.G.P. for the State – Respondent no.1.

Mr.Amit Tungare for the Respondent no.2.

CORAM : R.D. DHANUKA, J.

DATE : 3rd AUGUST, 2018

P.C.

By these two writ petitions filed under Article 227 of the Constitution of India, the petitioner has impugned the *ex parte* order and recovery certificate issued by the Deputy Registrar, Co-operative Societies under section 101 of the Maharashtra Co-operative Societies Act, 1960 without availing of remedy under section 154 of the Maharashtra Co-operative Societies Act, 1960.

2. It is the case of the petitioner in both the petitions that the petitioner was not served with the copy of the application filed under section 101 by the society and also did not receive any notice from the office of the Deputy Registrar.

3. A perusal of the order *prima facie* indicates that the petitioner was served with the notice by the office of the Deputy Registrar. In my view the remedy of the petitioner would be to file a revision application under section 154 of the Maharashtra Co-operative Societies Act, 1960.

4. I am thus not inclined to interfere with the impugned order in these both petitions on the ground that an alternate remedy exist under section 154 of the Act.

5. Both the writ petitions are dismissed on the ground of alternate remedy available. No order as to costs.

[R.D. DHANUKA, J.]