

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8046 OF 2016

Rajmohan N. Rao

..... Petitioner

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Mr.Prasad Dani, Senior Advocate, a/w. Mr.Bhushan Deshmukh, Mr.Saket Mone, Mr.Vishesh Kalra, Ms.Neha Joshi, i/b. Vidhi Partners for the Petitioner.

Mr.S.H.Kankal, A.G.P. for the State – Respondent nos. 1 to 3.

Mr.G.S.Godbole, i/b. Mr.S.S.Kanetkar for the Respondent no.4.

Mr.Sachin Rawool, i/b. Mr.Ajay Tripathi for the Respondent no.5.

CORAM : R.D. DHANUKA, J.

DATE : 11th JUNE, 2018

P.C.

The daughter and the constituted attorney of the respondent no.4 is present in court and has instructed the learned counsel for the respondent no.4 to give consent for passing this order. Other parties have given consent to their respective counsel for consent order.

(a) By consent of all the parties, the impugned order dated 9th May, 2016 passed by the learned Minister, Co-operation and Textile, the order dated 8th October, 2016 passed by the Divisional Joint Registrar and 23rd November, 2012 passed by the Assistant Registrar, Co-operative Society are set

aside.

(b) The proceedings are remanded back before the learned Assistant Registrar, Co-operative Societies for deciding the matter afresh.

(c) The learned Assistant Registrar shall decide the matter afresh without being influenced by any observations made and the conclusion drawn in those orders which are set aside by this order and shall decide in accordance with law after complying with the principles of natural justice expeditiously and not later than four months from the date of the first hearing.

(d) The parties are directed to appear before the learned Assistant Registrar, Co-operative F/S Ward, Mumbai on 22nd June, 2018 at 03.00 p.m. without fail.

(e) The parties are at liberty to file additional submissions, if any, along with the documents before the learned Assistant Registrar and shall serve a copy thereof to the other parties in advance.

(f) It is made clear that this court has not

expressed any views about the validity of any of the orders challenged in this writ petition as well as the validity of the order passed by the learned Assistant Registrar, Co-operative F/S Ward, Mumbai which is also set aside by this order. All contentions of all the parties on merits are kept open.

2. The parties to act on the authenticated copy of this order.
3. Writ petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]