

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO. 6888 OF 2018****The Greater Bombay Co-operative Bank Ltd. Petitioner****VERSUS****M/s.Zavicare India Pvt. Ltd. & Ors.****..... Respondents****ALONGWITH****WRIT PETITION NO. 6889 OF 2018****The Greater Bombay Co-operative Bank Ltd. Petitioner****VERSUS****M/s.BKP Enterprises & Ors.****..... Respondents**

Mr.Harish Pawar for the Petitioner.

Mr.Mohalkar, i/b. Mr.Pawan Tiwari for the Respondent nos. 1 to 4.

Mr.S.H.Kankal, A.G.P., for the State.

CORAM : R.D. DHANUKA, J.**DATE : 5th JULY, 2018****P.C.**

The petitioner has filed this writ petition under Article 227 of the Constitution of India thereby impugning the interim stay granted by the learned Divisional Joint Registrar in the Revision Application Nos.131 of 2018 and 130 of 2018 respectively in these two petitions. Learned Divisional Joint Registrar has kept both the matters for further hearing on 23rd July, 2018.

2. Admittedly, the contesting respondents have not deposited 50% of the certified amount under section 154(2A) of the Maharashtra Co-operative Societies Act, 1960 with the petitioner as a condition precedent for entertaining those revision applications filed by the

contesting respondents.

3. It is made clear that if the contesting respondents do not deposit the amount in compliance with the mandatory condition of deposit of under 154(2A) on or before the next date which is 23rd July, 2018, the revision applications filed by the contesting respondents to stand dismissed without further reference to court and *ad-interim* order passed by the learned Divisional Joint Registrar to stand vacated.

4. If the amount is deposited by the contesting respondents in terms of section 154(2A) of the Maharashtra Co-operative Societies Act, 1960 on or before 23rd July, 2018, the learned Divisional Joint Registrar shall hear the revision applications on its own merits.

5. It is made clear that this court has not expressed any views on the merits of the matter.

6. All contentions of both the parties are kept open. It is made clear that even if the contesting respondents deposit the amount on or before 23rd July, 2018, the contesting respondents will not seek any adjournment before the learned Divisional Joint Registrar in the revision applications filed by them.

7. Writ petitions are disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]