

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION (ST) NO. 19536 OF 2018****Ganesh Shashikant Puralkar****..... Petitioner****VERSUS****District Deputy Registrar,
Co-operative Soc., Mumbai & Ors.****..... Respondents**

Mr.V.S.Kapse, i/b. Mr.Pramod Kathane for the Petitioner.

Mr.S.H.Kankal, A.G.P. for the State – Respondent no.1.

Mr.Harish Pawar for the Respondent no.4.

CORAM : R.D. DHANUKA, J.**DATE : 11th JULY, 2018****P.C.**

Mr.Kapse, learned counsel for the petitioner on instruction agrees to pay the cost of Rs.50,000/- to the respondent no.4 within one week from today. Upon payment of cost of Rs.50,000/-, the delay in filing revision application by the petitioner shall stand condoned. It is made clear that if the amount of cost is not paid within the time prescribed, the impugned order passed by the learned District Deputy Registrar refusing to condone delay to stand restored. If the amount of cost is paid within the time prescribed, the revision application filed by the petitioner to stand restored. The petitioner would be at liberty to pursue the said revision application on its own merits subject to the payment of deposit, if any, under section 154(2A) of the Maharashtra Co-operative Societies Act, 1960.

2. The parties are directed to exchange their respective statement of

account within two weeks from today.

3. Learned District Deputy Registrar shall consider the issue of mandatory deposit under section 154(2A) as well as the merits of the case after such deposit, if any, made by the petitioner is concerned.

4. Mr.Kapse, learned counsel for the petitioner on instruction states that during the pendency of the said revision application and for a period of two weeks thereafter, the petitioner will not create any third party rights in respect of the flat no.2506, Ashok Tower, 'A' Wing, 25th Floor, Near M.D.College, S.S.Rao Road, Parel, Mumbai – 400 012. Statement is accepted as and by way of undertaking to this court.

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

[R.D. DHANUKA, J.]