

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2291 OF 2019

SHRIPAD PANDURANG KHISTI
VERSUS
THE JOINT REGISTRAR CO-OPERATIVE SOCIETIES NASHIK
DIVISION AND ANOTHER

...
Mr. A.K. Gawali, Advocate for petitioner
Mr. S.B. Pulkundwar, AGP for respondent-State
...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 20-02-2019

ORDER :

1. The petition has been moved, aggrieved by order dated 21-12-2018 passed by respondent no. 2 - Assistant Registrar, Co-operative Societies, Shrigonda, District - Ahmednagar.

2. Learned counsel for petitioner adverts to that from 13 directors of managing committee of petitioner - society, 10 directors were disqualified under the orders of Assistant Registrar and an authorized officer has been instituted to look after the affairs of society. He submits that the order would not be tenable in fact and in law and though appeal has been preferred against said order dated 21-12-2018, interim relief application filed by present petitioner and other directors, is not being decided yet. He submits that there is grave urgency, since fair price shop being

run by society had come to grinding halt affecting its card holders. He, therefore, urges for interim relief.

3. However, conspectus would show that against decision dated 21-12-2018 of respondent no. 2, already a substantive appeal has been preferred and along with same, an application for interim relief has already been moved and same is not yet decided. In the circumstances, it would not be proper that writ petition for the same purpose be entertained.

4. It would be open for petitioner to prosecute the application for interim relief. Interim relief application be decided expeditiously preferably within a period of two (2) weeks from the date of receipt of this order by the appellate authority.

5. Appellate authority may proceed with appeal itself expeditiously and decide the same as early as possible preferably within a period of three (3) months from the date of receipt of this order. Parties shall co-operate in the proceedings.

6. Writ petition is disposed of accordingly.

[SUNIL P. DESHMUKH]
JUDGE

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