

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.15410 OF 2019

TRIBHUWANDAS DEVIDAS MAHAJAN THROUGH GPA LAXMIKANT

TRIBHUWANDAS MAHAJAN AND OTHER

VERSUS

ASHOK LAXMAN CHAUDHARI AND OTHERS

...

Advocate for Petitioners : Mr.Shikrashna B. Solanke

AGP for Respondent/State : Mr.N.T.Bhagat

...

CORAM : RAVINDRA V. GHUGE, J.

DATE : 18th December, 2019.

PER COURT :-

1. The petitioners seek to challenge the order passed by the Divisional Joint Registrar, Co-operative Societies, Nashik Division, Nashik under the Maharashtra Money Lending (Regulation) Act, 2014.

2. It is well settled that the petitioner has a statutory remedy of approaching the Registrar (General) under Section 9 of the said Act.

3. The Honourable Apex Court has concluded in

the matter of Virudhunagar Hindu Nadargal Dharma Paribalana Sabai Vs. Tuticorin Educational Society and Others [2019 SCC online SC 1292] and Genpact India Private Limited Vs. Deputy Commissioner of Income Tax and another (Civil Appeal No.8945 of 2019) that, the availability of a statutory remedy is a "Near Total Bar" for the High Court in exercising its supervisory jurisdiction under Article 227 of the Constitution of India.

4. In view of the above, this petition is disposed off with liberty to the petitioner to avail of the remedy.

5. The time spent by the petitioner in this Court from 31/08/2019 till the passing of this order, shall be a good ground for seeking condonation of delay.

(RAVINDRA V. GHUGE, J.)