

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13592 OF 2019

MOHAN BANSILAL BHUTADA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Shri G K Naik Thigle
AGP for Respondents 1 to 3 : Shri Kulkarni P.M.
Advocate for Respondent 4 : Shri Naikwade S.K.

...
CORAM : RAVINDRA V. GHUGE, J.
Dated: November 11, 2019

...
PER COURT :-

1. The learned Advocate appearing on behalf of respondent No.4 strenuously opposes this petition, in which, the petitioner has challenged an impugned order passed by respondent No.3, running into four words, which reads as under:-

" अर्ज मंजूर करण्यात येतो."

2. The litigating sides are before the District Deputy Registrar, Cooperative Societies, Beed and Registrar under the Maharashtra Money Lenders Act, 2014. The original applicant has moved an application dated 26.7.2019 seeking appointment of a Court Commissioner. There is no dispute that the impugned order consists of four words and respondent No.3 has not even cared to put the date below his signature.

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

2-WRIT PETITION NO.13592 OF 2019

3. I deem it fit and proper to record my displeasure with regard to the conduct of respondent No.3 who has not taken the efforts to write a reasoned order. Such conduct is not only depreciable, but is dangerous for the proceedings as like the one in hand.

4. This petition is, therefore, allowed. The impugned order which is said to be passed on 5.9.2019 by respondent No.3, is quashed and set aside. The application is restored in Case No.6 of 2017 before respondent No.3. The parties shall appear before the said authority on 25.11.2019 at 3.00 pm. Respondent No.3 shall record the oral / written submissions of the litigating sides and shall thereafter pass a reasoned order on the merits of the application. So also, the application filed by the petitioner dated 29.3.2019 that is pending before respondent No.3, shall also be decided on its own merits.

5. The learned Registrar (J) of this court shall place a copy of this order before respondent No.1 / Principal Secretary, Department of Cooperation, Mantralaya, Mumbai.

(RAVINDRA V. GHUGE, J.)

...