

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

906 WRIT PETITION NO.14615 OF 2019

IPD INSTITUTE OF PERSONALITY DEVELOPMENT THROUGH
PROPRIETOR AND OTHERS
VERSUS
DIVISIONAL JOINT REGISTRAR CO OPERATIVE SOCIETIES
AURANGABAD AND OTHERS

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WITH
908 WRIT PETITION NO.14629 OF 2019

PATNI FARMS AND AGRI TOURISM THROUGH ITS PARTNERS AND
OTHERS
VERSUS
DIVISIONAL JOINT REGISTRAR CO OPERATIVE SOCIETIES
AURANGABAD AND OTHERS

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Advocate for the Petitioners : Shri Bhandari Anand P. and Shri Patodi
Rajat V.

AGP for Respondents 1 and 2 : Shri S.R.Yadav and Shri S.W.Munde

Advocate for Respondent 3 : Shri Nitin R. Bhavar

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 04th December, 2019

Per Court:

1 In both these matters, the grievance is as regards the upset price. Admittedly, the upset price was settled by following the due procedure, on 22.02.2019. It is undisputed that upset price is sustained only for a period of six months and it loses its efficacy after six months in

view of Rule 107(11)(d-1)(vi)(f) and third proviso thereunder, of the Maharashtra Cooperative Societies Rules, 1961.

2 Considering the above, the parties are united in submitting that a particular date and time may be fixed so that they can appear before the District Deputy Registrar, Cooperative Societies, Aurangabad and canvass their submissions as regards the settling of upset price.

3 In view of the above, both these Writ Petitions are disposed off.

4 The litigating parties shall appear before respondent no.2/ District Deputy Registrar on 23.12.2019 at 03:00 pm. Formal notices need not be issued. The litigating sides are at liberty to canvass oral as well as written submissions. Thereafter, respondent no.2 shall follow the procedure as is laid down in law and shall deliver a reasoned order on or before 31.01.2020. If either of the parties have any grievance as regards the said order, they would be at liberty to avail of a remedy as is permissible in law.

5 The pending proceedings initiated by respondent no.3 against the order dated 03.10.2019 setting aside the auction sale, shall stand disposed off by consent of the parties.