

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO.2071 OF 2019**

Shivshankar Co-Op. Housing Society Ltd.                      ]            ... Petitioner

Versus

The State of Maharashtra & Ors.                                              ]            ... Respondents

Mr. Sachin S. Tigde for Petitioner.  
Ms. S. S. Bhende, AGP for State.

**CORAM :- INDRAJIT MAHANTY &**  
**SARANG V. KOTWAL, JJ.**  
**DATE :- 14 FEBRUARY, 2019**

**P. C. :-**

1.                      Heard the learned Counsel for respective parties.
  
2.                      In the Writ Petition, the Petitioner has stated that an order was passed under Section 22 (2) of the MCS Act on 06/07/2018 by the Respondent No.2. Challenging the said order, a Revision Application No.68 of 2019 has been preferred by the Petitioner and hearing of that Revision Application took place on 12/02/2019. No final orders are stated to have been passed therein. Learned Counsel

for the Petitioner asserts that the Revision Petition will be rendered infructuous, if an authorized officer is appointed, without the Revision Application being disposed of.

3. Without expressing any opinion on the merits of the Petitioner's claim, we direct the Revisional Authority to dispose of the Revision Application No.68 of 2019 at an early date and till disposal of the Revision Application, the impugned action under Section 22 (2) of the MCS Act, may not be enforced. Further, we direct that if any adverse order is passed in the Revision Application affecting the Petitioner, the said order shall not be given effect to for a period two weeks in order to enable the Petitioner, if so required, to seek appropriate legal remedy.

4. With the said directions, Writ Petition is disposed of.

**(SARANG V. KOTWAL, J.)**

**(INDRAJIT MAHANTY, J.)**