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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 7086 OF 2019**

Smt. Rashmi Ashok Joshi and another

.....Petitioners

V/s.

State of Maharashtra through Minister
of Co-operation, Marketing and Textile
and others

.....Respondents

Mr. Drupad S. Patil i/b Parag Tilak

Mr. A. S. Dubey i/b Troy Legal for respondent nos. 2 to 10 for the
Mr. S. L. Babar AGP for respondent no. 1**CORAM : NITIN W. SAMBRE, J.****DATE : JULY 1, 2019.****P.C.**

Petitioner, in an Appeal preferred by the respondent under Section 152 of The Maharashtra Co-operative Societies Act, 1960 against the order passed by the District Deputy Registrar disqualifying the respondent raised an objection on maintainability on following grounds:

(a) Appeal itself is not maintainable as the order is revisable under Section 154 of the Act;

(b) Delay caused is not supported with an independent application with a prayer for condonation of delay;

(c) Joint Appeal is not maintainable.

2 Heard the learned counsel for respondent and the learned AGP who supports the order impugned.

3 Perusal of the order reflects that the Authority has recorded a finding of fact that there is no delay caused in preferring the Appeal.

4 Apart from above, Authority is always armed with powers to consider and grant a request, if so made, for conversion of Appeal under Section 152 of the Act to that of Revision under Section 154 of the Act.

5 As far as the issue regards the maintainability of the

Appeal/Revision challenging two orders is concerned, same can be gone into at the time of final hearing of the proceedings pending before Sub-ordinate Authority.

6 That being so, no case for interference in supervisory jurisdiction under Article 227 of the Constitution of India is made out. Petition fails, dismissed.

[NITIN W. SAMBRE, J.]