

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST) NO.29581 OF 2019

M/s. Maharashtra Hire Service

.... Petitioner

versus

The Deputy Registrar Co.op Societies & Ors. Respondents

.....

- Mr.R.N. Gite, Advocate for Petitioner.
- Mr.S.H. Kankal, AGP for Respondent Nos.1 and 8.
- Mr.S.S. Patwardhan, Advocate for Respondent No.3.

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.**
DATE : 09th DECEMBER, 2019.

P.C. :

1. Pursuant to the praecipe filed by the learned Counsel for the Petitioner, the matter is taken on production board.
2. Heard learned Counsel for the parties.
3. Learned Counsel Mr.S.S. Patwardhan appearing on behalf of Respondent submitted that in the present proceedings, the Petitioner is indirectly challenging the order passed by the Deputy Registrar Societies u/s 101 of Maharashtra Cooperative

Societies Act, 1960. He submits that Petitioner has filed Revision Application u/s 154 before the authority which is pending for hearing and final disposal on its own merits.

4. When the court declined to entertain this petition on the ground that, alternate remedy is available, learned Counsel for the Petitioner, after taking instructions from his client who is present before the Court, makes a statement that Court may permit him to withdraw this petition with liberty to pursue the Revision application u/s 154 of the said Act. He further submitted that the Petitioner will make appropriate application before the authority for waiving of 50% of the amount.

5. Learned Counsel for the Petitioner has given in writing to that effect, that he has received instructions to withdraw the petition with liberty to take appropriate proceedings. Same is taken on record and marked 'X' for identification. Same is accepted. Hence following order is passed;

- (a) Liberty is granted to the Petitioner to move before the authority u/s 154 of the Maharashtra Cooperative Societies Act, 1960 for appropriate relief.
- (b) The authority is directed to decide the application or revision application as early as possible, after hearing both the sides.
- (c) Writ Petition is dismissed as withdrawn.
- (d) No order as to costs.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)