

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION (L) NO.853 OF 2019**

G.Venkatesan & Ors.

...Petitioners

vs

The Divisional Joint Registrar, Co-operative
Societies, Mumbai

...Respondents

.....

Mr. P.D. Dalvi, Mr. V.M. Joshi, for the Petitioners.

Mr. Manish Upadhye, AGP, for Respondent Nos. 1 and 2.

Mr. Sunil Lalla, a/w. Ms. Namita Shirke, for Respondent No.5.

Mr. Pratapsinh Rananavare, Respondent No.7 present in person.

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CORAM : S.C. GUPTE, J.**DATED: 12 APRIL 2019****P.C.:**

. Heard learned Counsel for the parties. This petition challenges a report prepared by Respondent No.3 Special Auditor of Co-operative Societies purportedly under Section 81(3) of Maharashtra Co-operative Societies Act ("Act"). The report is submitted to the Registrar of Co-operatives Societies and final orders are expected to be passed thereon under Rule 72(6) of the Maharashtra Co-operative Societies Rules. The report is *inter alia* challenged by the Petitioners herein before the Divisional Joint Registrar under Section 154 of the Act. Since there is no final order of any further action passed by the Registrar under Section 154 of the Act or under Rule 72 of the Rules and the report of

the Special Auditor has already been challenged before a revisional authority, the writ petition is not maintainable. Accordingly, the writ petition is dismissed. The Divisional Joint Registrar is, however, directed to dispose of the revision pending before him as expeditiously as possible and preferably within a period of three months from today.

(S.C. GUPTE, J.)