

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3320/2016

Devidas Pandurang Kale and 17 others
Vs.

The Vasant Co-operative Shetkari Ginning and Pressing Factory Ltd., Wani, and others.

Office notes Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S.V.Purohit, Advocate for petitioners.
Shri A.P.Thakare, Advocate for respondent no.1.
Shri A.M.Kadukar, Assistant Government Pleader for respondent nos. 2 to 4.

CORAM : A.S.CHANDURKAR, J.
DATED : September 04, 2019

Heard finally in view of the short issue involved.

An order passed by the District Deputy Registrar under Section 88 of the Maharashtra Co-operative Societies Act, 1960 (for short, 'the said Act') dated 01.01.2016 was challenged by the petitioners by filing a revision application before the Divisional Joint Registrar under Section 154 of the said Act. The Divisional Joint Registrar refused to grant any interim relief in those proceedings and hence the petitioners approached this Court by filling the present writ petition.

On 22.07.2016 this Court granted interim relief in terms of prayer clause (ii) as a result of which the order passed under Section 88 of the said Act came to be stayed. It is informed that the revision application has now been heard by the Divisional Joint Registrar and final orders therein are awaited.

Considering the fact that this Court has granted interim relief which is operating for more than three years, the interests of justice would be served by passing following order :

The interim relief granted in the present writ petition shall continue to operate till the Divisional Joint Registrar finally decides the revision application that has been preferred by the petitioners for challenging the order dated 01.01.2016 passed under Section 88 of the said Act.

The aforesaid direction is without prejudice to the rights and contentions of the parties. Needless to state that the party aggrieved by the final order would be free to challenge the same in accordance with law.

With these directions, the writ petition is disposed of with no orders as to costs.

JUDGE

Andurkar.