

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.6354 OF 2017

(DR. MANOJ BUDHAJI TAYADE...VS.. ASSISTANT REGISTRAR, COOP. SOCIETIES & ANR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.M.Ghare, Advocate for Petitioner.
Shri A.M.Kadukar, A.G.P. for Respondent No.1.
Shri A.H. Patil, Advocate for Respondent No.2.

CORAM : Z.A.HAQ, J.
DATED : MARCH 01, 2019.

Heard.

Undisputedly, the remedy of revision is available under Section 154(2A) of the Maharashtra Co-operative Societies Act, 1960 (hereinafter referred to as “the Act of 1960”), still the petitioner has directly approached this Court under Articles 226 and 227 of the Constitution of India. To test the bonafides of the petitioner, on the earlier date it was inquired from the learned Advocate appearing for the petitioner as to whether the petitioner would deposit 50% of the amount of Recovery Certificate as required while filing revision under Section 154(2A) of the Act of 1960. On instructions, a statement was made on behalf of the petitioner that he would deposit Rs.15,00,000/- with the respondent No.2-Sanstha till 25th February 2019. This is recorded in the order passed by this Court on 24th January 2019. Today, the learned Advocate for the petitioner has stated that the petitioner has not been able to arrange the amount and it is not deposited.

In the above facts, I am not inclined to entertain the petition. The writ petition is **disposed** accordingly. In the circumstances, the parties to bear their own costs.

The petitioner will be at liberty to avail alternate statutory remedy under Section 154(2A) of the Act of 1960, if so advised.

JUDGE

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