

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3124 OF 2020

SAINATH MILK PRIVATE LIMITED AND OTHERS
VERSUS
PRAVARA SAHAKARI BANK LIMITED BRANCH RAHATA
AND ANOTHER

...

Advocate for the Petitioners : Shri B. A. Husale
AGP for Respondent No. 2 : Shri N. T. Bhagat

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 21st FEBRUARY, 2020

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PER COURT :

1. The learned Advocate for the Petitioners expressed urgency at 10.30 a.m. Hence, this petition has been taken on the production board.
2. The learned Advocate for the Petitioners submits that the order dated 17/10/2019 passed under Section 101 of the Maharashtra Co-operative Societies Act, has been challenged in this petition.
3. The learned AGP, appearing on behalf of the Sub-Registrar Co-operative Societies, submits that the

Petitioners have a statutory remedy under Section 154 (2A) of the Act.

4. The Honourable Apex Court has delivered orders in the matters of ***Virudhunagar Hindu Nadargal Dharma Paribalana Sabai & Ors. Vs. Tuticorin Educational Society & Ors. in 2019 SCC online SC 1292*** and ***Genpact India Private Limited vs Deputy Commissioner Of Income Tax, decided on 19/08/2019***, that the supervisory jurisdiction of this Court under Article 227 of the Constitution suffers a 'Near Total Bar' when a statutory remedy is available.

5. In view of the above, this petition is disposed off with liberty to the Petitioners to avail of the statutory remedy under Section 154.

(RAVINDRA V. GHUGE, J.)

shp/-