

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2956 OF 2018

01 Chhagan s/o Kewaji Deore,
age: 50 years, Occ: Agril.,

02 Rodu s/o Laxman Gaikwad,
age: 62 years, Occ: Agril.,

03 Budha s/o Dodha Gaikwad,
age: 55 years, Occ: Agril.,

04 Bhatu s/o Laxman Bahiram,
age: 57 years, Occ: Agril.,

All R/o Pankheda, Tq. Sakri,
District Dhule.

Petitioners

Versus

01 Dilip s/o Shankar Bhusaware,
age: 35 years, Occ: Agril.,

02 Sau. Nirmala Khushal Bhusaware,
age: 36 years, Occ: Household,

03 Pundlik s/o Sakharam Gharte,
age: 70 years, Occ: Agril.,

04 Narayan s/o Daga Gharte,
age: 74 years, Occ: Household,

05 Sau.Chhaya Madhukar Khairnar,
age: 28 years, Occ: Household,

06 Subhash s/o Ukha Pawar,
age: 38 years, Occ: Agril.,

07 Bhaskar s/o Keshav Bhusaware,
age: 40 years, Occ: Agril.,

08 Deepak Suresh Bhusaware,
age: 26 years, Occ: Agril.,

09 Sau. Seema Nandashok Nandan,
age: 29 years, Occ: Household,

10 Chhotiram s/o Shrawan Pawar,
age: 28 years, Occ: Agril.,

All R/o Pankheda, Tq. Sakri,
District Dhule.

11 Puja Ratnakar Swami Sahakari
Samudaik Sheti Society Limited,
Pankheda, Tq. Sakri, District Dhule,
through its Administrator.

12 The Assistant Registrar,
Co-operative Societies,
Sakri, Tq. Sakri, Dist. Dhule.

13 The Divisional Joint Registrar,
Co-operative Societies,
Nashik Division, Nashik.

Respondents

Mr.M.A.Dond Patil, advocate holding for Mr.C.K.Shinde, advocate
for petitioners

Mr.Yogesh Bolkar, advocate holding for Mr.M.S.Sonawane,
advocate for Respondents No.1 to 10.

Respondent No.11 served.

Mr.S.K.Tambe, A.G.P. for Respondents No.12 & 13.

CORAM : ROHIT B. DEO, J.

DATE : 10th January, 2020.

ORAL JUDGMENT :

1 Rule. Rule made returnable forthwith and heard
finally by consent of learned Counsel for respective parties.

2 The challenge is to the order dated 29.12.2017,
rendered by Respondent No.13 - the Divisional Joint Registrar,

Co-operative Societies, Nasik, whereby and whereunder the order dated 13.12.2016, passed by Respondent No.12 - the Assistant Registrar, Co-operative Societies, Sakri, District Dhule, under Section 23(2) of the Maharashtra Co-operative Societies Act, 1960, is quashed and set aside and the matter is remitted for fresh hearing.

3 I am satisfied that the order impugned needs no interference in writ jurisdiction.

4 While I broadly agree with the reasons recorded by the Revisional Authority for remanding the matter to the Assistant Registrar, I do not find it necessary to make any decisive observations on the merits of the rival contentions.

5 The petitioners are not parties to the proceedings. The petitioners did not object to the applications for membership submitted by the contesting respondents. Pertinently, the petitioners are not parties to the Revision and made no efforts to seek intervention in the revisional proceedings.

6 In this view of the matter, I would be loath to interfere with the impugned order at the behest of petitioners.

7 Writ Petition is dismissed. Rule discharged.

8 However, it is clarified that the petitioners are at liberty to seek intervention before the first authority and if such application is made, same shall be considered on its own merits and in accordance with law.

ROHIT B. DEO
JUDGE

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