

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

WRIT PETITION NO.9131 OF 2018
WITH
WRIT PETITION NO.9124 OF 2018

KASHINATH BABAN SHINDE
VERSUS
THE DIVISIONAL JOINT REGISTRAR CO OPERATIVE SOCIETIES NASHIK
DIVISION AND OTHERS

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Advocate for the Petitioners : Shri Karpe Rahul R.
AGP for Respondents 1 to 3 : Shri S.K.Tambe
Advocate for Respondents 4 and 5 : Shri Latange V.P.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 04th March, 2020

Per Court:

1 The learned AGP points out the view taken by this Court as well as the Nagpur Bench that the order passed by the District Deputy Registrar (Money Lenders) is to be challenged before the Registrar General (Commissioner for Cooperation) under Section 9 of the Maharashtra Money Lending (Regulation) Act, 2014.

2 The Honourable Supreme Court has recently held, in the matters of *Virudhunagar Hindu Nadargal Dharma Paribalana Sabai vs. Tuticorin Educational Society*, (2019) 9 SCC 538 and *Genpact India Pvt. Ltd. vs. Deputy Commissioner of Income Tax*, 2019 (16) Scale

667 : 2019 SCC Online SC 1500, that the supervisory jurisdiction of this Court under Article 227 of the Constitution of India suffers a near total bar when a statutory remedy is available and even an admitted petition should be dismissed and the litigating parties should be relegated to the statutory remedy.

3 The petitioners have not been granted any interim relief by this Court since August, 2018.

4 In view of the above, both these Writ Petitions are disposed off.

5 In the event, the petitioners approach the Registrar General under the Maharashtra Money Lending (Regulation) Act, 2014 on or before 15.04.2020, the time spent by the petitioners in this Court from 09.07.2018 till 15.04.2020 or till the date on which the proceedings are filed, whichever is earlier, shall be considered as a good ground for condonation of delay. All contentions of the litigating parties are kept open to be canvassed before the Registrar General.

6 In the event, the proceedings are instituted as directed above, the Registrar General shall endeavour to decide the said proceedings within 60 days from the date of appearance of all litigating sides.