

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

WRIT PETITION NO. 3771/2017

Shri Wasudeo S/o. Ramdas Morkhade & anr. Vs. The Assistant Registrar of Money-Lending & Assistant Registrar of Cooperative Societies, Balapur & ors.

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

Court's or Judge's Orders.

Shri H. R. Gadhia, Advocate for petitioner.
Shri D.I. Jain, Advocate for respondent No. 3.

CORAM : A.S.CHANDURKAR AND VINAY JOSHI, JJ.
DATED : JANUARY 21, 2020.

Challenge raised in the present writ petition is to the notice dated 27.02.2017 that has been issued by the Assistant Registrar, Cooperative Societies, Balapur. By that notice the petitioners have been informed that the hearing of the review application would be conducted on 07.03.2017. According to the petitioners, there is no power of review that can be exercised by the Assistant Registrar in proceedings under Section 18 of the Maharashtra Money Lending (Regulation) Act, 2014.

2. It is seen that after the Assistant Registrar decided the proceedings under Section 18 of the said Act on 25.09.2015, an application for review was filed by the respondent No. 3 herein. In those proceedings, the petitioners have raised an objection to the maintainability of those proceedings. Before adjudication of that objection, the petitioners have approached this Court by filing the present Writ Petition.

3. In view of these facts, writ petition is disposed of by directing the Assistant Registrar, Cooperative Societies to first adjudicate the objections raised by the petitioners to the maintainability of the application for review. After that application is decided, the Assistant Registrar is free to proceed in accordance with law.

4. All points raised are kept open. Writ Petition is disposed of.

JUDGE

JUDGE

Gohane.