

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

**901 WRIT PETITION NO.2028 OF 2020  
WITH CA/9063/2021 IN RA/64/2021**

**LALIT RAMESH WAGHULDE AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS**

...  
Advocate for Petitioners : Mr. V.D. Hon, Senior Counsel h/f Mr. Hon  
Ashwin V.

GP for Respondent Nos.1 & 2 : Mr. D.R. Kale  
Advocate for Respondent No.4 : Mr. A.D. Shinde  
Advocate for Respondent Nos.5 to 8 : Mr. V.D. Salunke

...

**CORAM : RAVINDRA V. GHUGE &  
S.G. MEHARE, J.J.**

**DATED : 17<sup>th</sup> DECEMBER, 2021**

**PER COURT:-**

1. The learned Government Pleader representing respondent no.2 Shri Santosh Sudhakar Bidwai, who is present in the Court, submits that respondent no.2 tenders an unconditionally apology. Such apology has also been set out in his affidavit dated 21.10.2021. It is further assured that he would be extremely careful henceforth and would never travel beyond the procedure laid down in law while dealing with the proceedings before him. He is also willing to deposit an amount of Rs.10,000/- as a donation to the Advocate's Association of the Bombay High Court, Bench at Aurangabad.

2. The learned Government Pleader further submits that as the proceedings under Section 107 will have to be resumed from the stage at which the proceedings were accelerated, there would be no

difficulty if the said proceedings are placed before another District Deputy Registrar.

3. The learned senior advocate representing the petitioners submits, on instructions, that the petitioners are also apologetic that they did not add respondent nos.5-A to 5-D earlier. They desire to withdraw this petition and the proceedings under Section 107 can be remitted to a different District Deputy Registrar Co-operative Societies, Jalgaon. All the litigating parties are united in submitting that the proceedings can be transferred to the District Deputy Registrar Co-operative Societies, Dhule which is the nearest place.

4. The learned advocates representing the respondents submit that the respondents are satisfied.

5. In view of the above, the apology tendered by Shri Bidwai is accepted and he is cautioned to be careful henceforth. He shall deposit a donation amount of Rs.10,000/- with the Advocate's Association of the Bombay High Court, Bench at Aurangabad, on or before 23.12.2021. This petition is disposed off as withdrawn.

6. The proceedings under Section 107 registered as Enquiry No.04 of 2019, 05 of 2019 and 07 of 2019, shall be transferred to the District Deputy Registrar Co-operative Societies, Dhule. All the litigating parties shall appear before the said authority on 07.01.2022 at 12 noon. The proceedings which were accelerated after the order of this Court dated 03.08.2021 shall be resumed from the stage as was

existing on 03.08.2021 and the order passed by respondent no.2 dated 24.08.2021, having been withdrawn by respondent no.2, would stand set aside. All the contentions of the litigating parties are kept open and the same shall be subject to the result in Writ Petition No.4756 of 2019 pending before the learned Single Judge Bench of this Court.

7. Pending civil applications, if any, stand disposed off.

8. We expect the District Deputy Registrar Co-operative Societies, Dhule to afford a reasonable opportunity of hearing to all the parties and conclude the hearing on or before 15.02.2022. Thereafter, he shall deliver his order on 04.03.2022 at 03.00 pm and shall keep the copies of his order ready to be delivered to the parties on the same date by following the procedure as is applicable.

9. In view of the above order, the amount of Rs.94,500/- and Rs.57,000/- deposited by the petitioners towards the registration of two sale deeds, shall be refunded to the petitioners.

**(S.G. MEHARE. J.)**

**(RAVINDRA V. GHUGE, J.)**