

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

918 WRIT PETITION NO.4304 OF 2021

**BALAJI TUKARAM KOKKADWAR THR GPA HOLDER DEEPAK BALAJI
KOKKADWAR
VERSUS
LAXMIKANT ARUN CHIDRAWAR AND ANOTHER**

...
Advocate for Petitioner : Shri Arvind Sheshrao Deshmukh and Shri
Siddhesh Arvind Deshmukh
...

CORAM : N.J. JAMADAR, J.

DATE : 09/03/2021

P.C. :

1. Heard the learned counsel for the petitioner.
2. The challenge in this petition is to the order dated 27th January, 2021 whereby, the learned Jt. Civil Judge Junior Division, Jintur was persuaded to reject the plaint by invoking the provisions of Order VII Rule 11 (d) of the Code of Civil Procedure, 1908.
3. The learned counsel for the petitioner urged that the learned Jt. Civil Judge Junior Division, Jintur has committed an error in rejecting the plaint after having recorded the finding that the said Court has no jurisdiction in view of the provisions contained in Section 91 of the Co-Operative Societies Act.

4. The plaint is rejected by the learned Jt. Civil Judge Junior Division, Jintur under the provisions of Order VII Rule 11 (d) of CPC, recording a finding that the suit is barred by the provisions contained in Section 91 of the Maharashtra Co-Operative Societies Act. The petitioner has an efficacious remedy of filing an appeal against the order of rejection of plaint.

5. Hence the petition does not deserve to be entertained. Resultantly the petition stands rejected.

(N.J. JAMADAR)
JUDGE

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