

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

935 WRIT PETITION NO.2344 OF 2018

PARNER TALUKA SAHAKARI SAKHAR KARKHANA
SEVKANCHI SAHAKARI PATSANSTHA THR D.G. JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Barde Parag Vijay.
AGP for Respondents-State : Mr. S. B. Yawalkar.
Advocate for Respondent No.4 : Mr. P. R. Nangre.
Advocate for Respondent No.5 : Mr. K. B. Jadhav.

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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 17.11.2021

PER COURT :-

1. We have considered the strenuous submissions of Mr. Barde, the learned advocate representing the petitioner. Mr. Nangre, the learned advocate representing respondent No.4 – Liquidator and Mr. Jadhav, the learned advocate representing respondent No.5 – Factory, which has taken over respondent No.4, submit that the cause of action put forth in this petition can be espoused under Section 91 of the Maharashtra Co-operative Societies Act, 1960 as that would amount to a statutory remedy available to the petitioner.

2. In view of the above, we are disposing of this petition by granting liberty to the petitioner to avail of the statutory remedy, as is prescribed in law. All the contentions of the litigating parties are kept open, save and except as regards maintainability of the proceedings under Section 91.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-