

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

WRIT PETITION NO. 7895 OF 2021

Shri Arun Shankar Thosare

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. B. S. Deshmukh, Advocate for the Petitioner.

Mr. P. S. Patil, Addl. G. P. for Respondents/State.

**CORAM : S. V. GANGAPURWALA &
 R. N. LADDHA, JJ.**

DATED : 23rd JULY, 2021.

PER COURT:-

- . We have heard Mr. Deshmukh, learned counsel for the petitioner.
2. The learned Addl.G. P. raises a preliminary objection that the petitioner has remedy of appeal under Section 152 of the Maharashtra Co-operative Societies Act, 1960 (hereinafter referred as 'Act of 1960') as against the order passed under Section 88 of the said Act.
3. Mr. Deshmukh, learned counsel submits that the petitioner has never been communicated of the decision under Section 88 of the Act of 1960 till date. The petitioner could obtain the copy under Right to Information Act.

4. The petitioner can plead sub section 3 of Section 152 of the Act of 1960 vis-a-vis the period of limitation.

5. As the petitioner has alternate remedy available, we are not entertaining the writ petition on merits.

6. Writ petition is disposed of with liberty to the petitioner to avail alternate remedy. All contentions of the parties are kept open. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.