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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3964 OF 2019

NAMDEO SURATSINGH CHAUDHARY .. PETITIONER
VS.

NATU AMBERSINGH PATIL (DECEASED)
NARAYANSINGH NATU PATIL (DECEASED)
THROUGH LEGAL HEIRS & ORS. .. RESPONDENTS

Mr. A.G. Damle, Senior Counsel a/w. Mr. Vivek Salunke for
petitioner.

Mr. Pradeep J. Thorat for the respondent Nos. 1a to 1d.

Mr. P.P. Pujari, AGP for respondent Nos. 4 & 5.

Mr. R.B. Parab a/w. Sunil Suryawanshi for respondent No.2.

CORAM : M.S.KARNIK, J.

DATE : MARCH 2, 2021

P.C.:-

Heard learned counsel for the petitioner.

2. The petitioner is challenging the order passed in Revision Application No.458 of 2018 dated 28/2/2019 by the Divisional Joint Registrar, Co-operative Societies, Mumbai Division. The revision was filed challenging the order dated 15/9/2019 passed by the Assistant Registrar, Co-operative Societies H (East) Ward, Mumbai.

3. The complaint was filed before the Assistant Registrar by the respondent Nos.(i)a to (i)d contending that the share certificate was illegally transferred in the name of the petitioner by the society. The respondent Nos.(i)a to (i)d claim to be legal heirs of late Natu Ambersingh Patil.

4. The dispute is regarding membership of the society. In short, it is the case of the respondent Nos. (i)a to (i)d that the petitioner has illegally transferred the share certificate in his name and on that basis claim to be a member.

5. The Assistant Registrar found that there is no document of transfer produced. For the reasons mentioned, the application was allowed in favour of the respondent Nos.(i)a to (i)d – the heirs of late Natu Patil. The revisional authority dismissed the revision filed by the petitioner. However, from the impugned order it is seen that no reasons virtually have been recorded while dismissing the revision.

6. No doubt, the Divisional Joint Registrar was exercising the revisional jurisdiction. However, reading of the impugned order indicates complete absence of any reasons. On this ground alone the impugned order is set aside. The Revision Application No. 458

of 2018 is remitted to the Divisional Joint Registrar for fresh consideration.

7. All contentions are kept open.

8. I may not be understood to have expressed any opinion on merits of the controversy.

9. The revision be decided on its own merits expeditiously.

10. The Writ Petition is disposed of.

(M.S.KARNIK, J.)

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