

CHITRA
SANJAY
SONAWANE

Digitally signed by
CHITRA SANJAY
SONAWANE
Date: 2021.09.02
11:54:57 +0530

Manoj Khatri & Anr.] Petitioners.

Divisional Joint Registrar]

Coop. Society & Ors.	]	Respondents.
---------------------------------	---	---------------------

...

Advocate Mr.Santosh Shetty for petitioners.

Mr. V. M. Mali, AGP for State.

...

**CORAM : K.K. TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATE : 30 AUGUST, 2021.

P.C.

1. Heard learned Counsel for parties.
2. Leave to amend is granted during the course of the day.
3. By this petition under Article 227 of the Constitution of India, petitioners are challenging orders dated 09.11.2020 and 12.12.2019 passed by the Divisional Joint Registrar in Appeal No.22 of 2020 u/s 152 of Maharashtra Cooperative Societies Act 1960 and order dated

13.08.2019 passed by the Sub-Registrar Maharashtra Cooperative Societies Act u/s 78-A (1) of the said Act.

4. Learned AGP, Mr.Mali for the State raised objection that the petition as it is filed by the petitioner is not maintainable. He submits that petitioner has alternate efficacious remedy u/s 156 of the Maharashtra Cooperative Societies Act.

5. At this stage, learned Advocate for the petitioner submits that petitioner may be permitted to withdraw the present writ petition with liberty to file revision before relevant authority u/s 154 of Maharashtra Cooperative Societies Act, 1960. To that effect, leaned Advocate for the petitioner has given in writing. Same is taken on record and marked 'X' for identification. Same is accepted.

6. In view of this fact, following order is passed.

:ORDER:

- a) Writ petition is dismissed as withdrawn with liberty as prayed.
- b) Liberty is granted to the petitioner to file revision before relevant authority u/s 154 of the Maharashtra Co-operative Societies Act.

c) If revision is filed, the relevant authority is directed to decide the same on its own merits.

d) No order as to costs.

[PRITHVIRAJ K. CHAVAN, J.]

[K. K. TATED, J.]