

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO.4901 OF 2021**

Ramrao Tukaram Patil & Ors. ... Petitioners

Versus

State of Maharashtra & Ors. ... Respondents

Mr.Arshad Shaikh a/w. Mr.Shrishailya Deshmukh for the Petitioners.

Mr.P.G.Sawant, AGP for the State.

Mr.S.R.Nargokar a/w. Mr. Arjun Kadam for Respondent No. 2.

Dr.Nalavade a/w. Ms.Irvin D'souza i/b. Mr. S.B.Deshmukh for Respondent No. 3.

Mr.Ketan Joshi for Respondent Nos. 4 and 5.

**CORAM : S.J. KATHAWALLA, &**  
**MILIND N. JADHAV, JJ.**

**DATE : 11TH OCTOBER, 2021**

**P.C. :**

1. By the above Writ Petition, the Petitioners seek the following reliefs :

“(a) That this Court be pleased to issue appropriate Writ, Order or directions thereby directing the learned Divisional Joint Registrar, Cooperative Societies, Nashik Division, Nashik to decide the Revision Applications filed by the Petitioners under Section 154 of the Maharashtra Cooperative Societies Act, 1960 challenging the auction sale dated 17<sup>th</sup> August, 2009 in respect of the immovable properties bearing Gat No. 332, admeasuring 5 Hectares and 52 Ares and Gat No. 183, admeasuring 8 Hectares and 41 Ares situated at Village Vani Khurd, Taluka Dindori, District – Nashik as expeditiously as possible and within the

period of three months from today.

(b) That this Court be pleased to direct the Respondents that till the Revision Applications filed by the Petitioners before the Divisional Joint Registrar at Nashik under Section 154 are not decided, no change shall be made in the revenue records and title pertaining to the immovable properties bearing Gat No. 332, admeasuring 5 Hectares and 52 Ares and Gat No. 183, admeasuring 8 Hectares and 41 Ares situated at Village Vani Khurd, Taluka Dindori, District – Nashik.”

2. Admittedly, the Petitioners had filed a Revision Application on 17<sup>th</sup> February, 2021, which was later withdrawn and the fresh Revision Application was filed on 12<sup>th</sup> July, 2021. The grievance of the Petitioners is that the said Revision Application is not being heard and the same is now placed only for filing of Reply on 19<sup>th</sup> November, 2021.

3. In the circumstances, we pass the following Order :

i. The Respondent Nos. 2, 4 and 5 shall file their Reply to the Revision Application dated 12<sup>th</sup> July, 2021 pending before the Divisional Joint Registrar Cooperative Societies, Nashik Division, Nashik within one week from today.

ii. The Divisional Joint Registrar Cooperative Societies, Nashik Division, Nashik shall hear the Revision Application filed by the Petitioners on 21<sup>st</sup> October, 2021 at 11.00 a.m. If he is unable to hear the matter for any reason on 21<sup>st</sup> October, 2021, he shall consider the Application of the Petitioners seeking directions against the Respondents not to carry out any change in the revenue record and title pertaining

to the immovable properties as set out in prayer Clause (b) above. However, we make it clear that the protection granted by this Order is without going into the merits of the matter.

iii. The Divisional Joint Registrar Cooperative Societies, Nashik Division, Nashik shall dispose of the Revision Application dated 12<sup>th</sup> July, 2021 and / or any Application filed by the Petitioners seeking ad-interim / interim protection on 21<sup>st</sup> October, 2021 and / or thereafter without being influenced by this Order and strictly on merits.

iv. All contentions of the parties are kept open.

v. The above Writ Petition is accordingly disposed off.

**(MILIND N. JADHAV, J. )**

**( S.J. KATHAWALLA, J. )**