

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

WRIT PETITION NO.4283 OF 2021

ALONG WITH

WRIT PETITION NO.4284 OF 2021

AND

WRIT PETITION NO.4285 OF 2021

Bhairavnath Sahakari Dudh Utpadak

.. Petitioner

Vs.

Joint Registrar of Co-op. Societies (Dairy),

Maharashtra State, Mumbai and Ors.

.. Respondents

Mr. Surel Shah, with Mr. V.H. Narvekar for the Petitioner.

Ms. Vaishali Nimbalkar, AGP for the Respondent-State of Maharashtra.

Mr. Sandeep R. Waghmare for the Respondents.

CORAM : A. K. MENON, J.

DATE : 25TH OCTOBER, 2021.

P.C. :

1. These three petitions seek to challenge orders dated 2nd August 2021 passed by the 1st respondent in revision applications and orders dated 3rd February 2020 passed by the 2nd respondent in appeals.

2. On 11th October 2021, this court observed that despite an order dated 28th June 2021, which appears at Exhibit-N to these petitions, the respondent no.1 has passed the impugned orders without assigning any reasons. The impugned orders at Exhibit-P to these petitions are all identical in terms that

they are bereft of reasons. In view of this fact being pointed out to the learned AGP on the last occasion, time was sought and ad-interim relief was granted in terms of prayer clause (c).

3. Today it is submitted that vide affidavit-in-reply dated 13th October 2021 filed by the 1st respondent in Writ Petition No.4283 of 2021, which is taken as a common response in these three petitions, Mr. Brijesh Laxmanrao Jadhav, Joint Registrar of Co-operative Societies (Dairy) has stated that due to heavy work-load in the office and through oversight, reasons were not recorded in the impugned orders. He has tendered an apology and states that the orders will be withdrawn, if he is so permitted and a fresh order will be passed after hearing the parties.

4. In view of this position, I find no difficulty in setting aside the impugned orders in these petitions. Accordingly, I pass the following order :-

- (i) The impugned orders dated 2nd August 2021 passed by the 1st respondent in revision applications and the orders dated 3rd February 2020 passed by the 2nd respondent in appeals are hereby quashed and set aside.
- (ii) Respondent no.1 shall hear the parties in each of these petitions afresh on or before 12th November 2021 and pass reasoned orders.
- (iii) Rule is made absolute in the above terms.
- (iv) All the petitions are disposed. No costs.

(A.K. MENON, J.)