

Urmila Ingale

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

WRIT PETITION NO. 8070 OF 2019

Gokul Nagari A & B Co-operative Housing
Society Ltd.

....Petitioners

Vs.

The Deputy Registrar,
CS R/South Ward and ors.

..... Respondents

Mr.H.V.Shekhavat, for the Petitioners.

Mr.Rahul S.Arote, for Respondent No.3.

Mrs.V.S.Nimbalkar, AGP for the Respondent – State.

CORAM : M. S. KARNIK, J.

DATE : 05th MARCH, 2021

P.C. :

. Heard learned Counsel for the Petitioners.

2. It is the grievance of the Petitioners that the impugned order dated 30/10/2017 was passed by District Deputy Registrar Co-operative Societies in their absence. Learned Counsel for the Petitioners submit that they had filed Revision under Section 154 of the Co-operative Societies Act, 1960 against the order dated 28/03/2013 passed by Deputy Registrar, Co-operative Societies. The Petitioners were regularly attending the proceedings, however, at some point of time, papers before the revisional authority got misplaced and the matter since then

has not listed. It appears that the Respondent No.3 reconstructed the proceedings and on that basis, the impugned order came to be passed. The Petitioners were not heard at that stage. Learned Counsel for the Respondent No.3 fairly submits that the Petitioners were not heard and has instructions to submit to the orders of this Court for remitting the matter to the District Deputy Registrar, Co-operative Societies.

3. In this view, the impugned order is set aside. The Revision is remitted back to the District Deputy Registrar, Co-operative Societies for hearing the same afresh and in accordance with law.

4. The District Deputy Registrar to hear and decide the Revision Application No. 18 of 2013 expeditiously and in any event within a period of 10 weeks from 12/03/2021.

5. The parties to appear before the revisional authority on 12/03/2021 at 11.00 a.m. whereafter further schedule may be fixed.

6. All contentions are kept open.
7. Writ Petition is disposed of.

(M.S.KARNIK, J.)

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