

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

WRIT PETITION NO. 7343 OF 2021

MR.Balasaheb Shankar Newale.

... Petitioner

V/s.

State of Maharashtra & Ors.

... Respondents

Mr.V.H.Narvekar, for the Petitioner.

Mr.A.P. Vanarase, AGP for the State.

CORAM : G. S. KULKARNI, J.

DATE : 28 October, 2021

PC :

1. After having heard the learned Counsel for the petitioner for some time, it appears that against the impugned order dated 22 October 2021 passed by the Divisional Deputy Registrar (Dairy), a remedy of a revision is available under Section 154 of the Maharashtra Co-operative Societies Act, 1961. It is, hence, not appropriate for the petitioner to invoke the jurisdiction of this Court under Article 226, or Article 227 of the Constitution when a statutory alternate remedy is available to the petitioner. Although the petitioner in the cause title has stated that the petition is filed under Article 227 of the Constitution, the petition would not be maintainable under Article 227 of the Constitution as the authority which has passed the order is neither a Court nor a tribunal, for this Court to exercise jurisdiction under Article 227 of the Constitution.

2. The petition is accordingly disposed of, permitting the petitioner to espouse the alternate remedy as available in law. All contentions of the parties are expressly kept open.

3. Disposed of in the above terms. No costs.

(G. S. KULKARNI, J.)