

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

**WRIT PETITION NO.8107 OF 2021
WITH
WRIT PETITION NO.8108 OF 2021
WITH
WRIT PETITION NO.8109 OF 2021**

Bhairavnath Sahakari Dudh Utpadak

Sanstha Mydt.

.. Petitioner

v/s.

Joint Regisgtrar Co-operative Societies

& Ors.

.. Respondents

Mr. V. H. Narevekar for the petitioner.

Mr. A.Y. Sakhare i/b. Sandeep R. Waghmare for respondent no.3.

Mr. Aadesh M. Patil i/b. M.B. Patil for respondent no.4 society.

Mr. S. H. Kankal, AGP, for respondent nos.1 & 2 in WP/8107/2021.

Mr. S.D. Rayrikar, AGP, for respondent nos.1 & 2 in WP/8108/2021.

Mr. C. D. Mali, AGP, for respondent nos.1 & 2 in WP/8109/2021.

CORAM : A. K. MENON, J.

DATED : 23RD DECEMBER, 2021.

P.C. :

1. At the hearing of this petition, the contesting parties represented

by their Advocates and respondent no.4 have arrived at a workable solution in terms of the minutes. The parties tendered Minutes of Order signed by the Advocate for petitioners and respondent nos.3 and 4. Only respondent no.3 being the different in each of the parties and who are represented by common counsel. In view thereof, there will be an order in terms of Minutes dated 23rd December, 2021.

Tender in Court by
Advocate for Petitioner/Respondent No.4
is taken on record & marked 'X' for
identity in Court. *DATE: 23/12/2021*

CORAM: A. K. MENON J.
DATE: 23/12/2021
"X" (M)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 8107 OF 2021

WITH

WRIT PETITION NO. 8108 OF 2021

WITH

WRIT PETITION NO. 8109 OF 2021

Bhairavnath Sahakari Duddh Uppadak
Sanstha Mys. ... Petitioners

Versus

Joint Registrar Co-op. (Dairy)
Maharashtra State & Ors. ... Respondents

MINUTES OF ORDER

By consent of Petitioner and Respondent No.3 the impugned order dated 11.11.2021 passed by Respondent No.1 and impugned order dated 03.02.2020 passed by Respondent No.2 are set aside.

The Respondent No.2 shall consider the issue of maintainability of the Appeal filed by respondent No.3 after hearing the Petitioner and also

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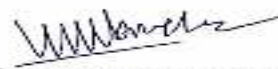
consider Additional Pleadings filed by the Petitioners and Respondent No.3 Society.

The issue of maintainability is to be decided by the Respondent No.2 in light of Judgment passed by this Hon'ble Court dated 07.04.2010 in Writ Petition No. 1826 of 2010 and Writ Petition No. 1827 of 2010 and Judgment dated 08.08.2012 passed by Division Bench of this Hon'ble Court in LPA No.133 of 2012.

Further the Respondent No.2 shall decide the issue/application on or before 08.01.2022.

Date: 23.12.2021

Place: Mumbai


Advocate for petitioner


Advocate for Respondent No.3


Advocate for Respondent No.4

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2. The parties shall appear before Respondent no.2 on 28th December, 2021 at 11.00 a.m.
3. Petitions are disposed in the above terms.

(A. K. MENON, J.)