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

WRIT PETITION NO. 8924 OF 2019

THE SAHEBRAO DESHMUKH CO-OPERATIVE BANK LTD.	..PETITIONER
VS.	
M/S. GANESH MEDICAMENT PVT. LTD. & ORS.	..RESPONDENTS

Mr. Vishal C. Ghosalkar for petitioner.
Mr. Charles D'souza with Vinod Kothari i/b. M/s. Apex Law Partners
for respondent No. 1 to 6.
Mrs. V.S. Nimbalkar, AGP for the respondent Nos. 7 to 9.

CORAM : M.S.KARNIK, J.

DATE : AUGUST 5, 2021

P.C.

The matter was heard for some time. After hearing the parties at length it was indicated by this Court that the matter may have to be remitted to the respondent No.7 - Deputy Registrar, Co-operative Societies for reconsidering the proceedings initiated under Section 101 of the Maharashtra Co-operative Societies Act, 1960 (hereinafter referred to as 'the said Act' for short).

2. Learned counsel for the respondent Nos. 1 to 6 on telephonic instructions of the respondent No.5, fairly submitted that the matter can be remitted to the Deputy Registrar for *de novo* hearing of the proceedings under Section 101 of the Act.

3. Learned counsel for the respondent Nos. 1 to 6, however, submitted that all contentions on merits be kept open including the question of limitation as according to him the proceedings are barred by the law of limitation.

4. Accordingly the impugned orders passed by the revisional authority as well as the Deputy Registrar under Section 101 of the said Act are set aside. The Applications No.2274/2015 and 2275/2015 be heard afresh on its own merits and in accordance with law. All contentions including question of limitation is kept open. The matter be heard without being influenced by any observations made by me in this order or in the impugned orders which have now been set aside.

5. Parties are at liberty to file additional pleadings/additional documents as learned counsel for the respondent Nos. 1 to 6 submitted that there are subsequent events which have to be brought on record which are necessary for adjudication. The respondent Nos. 1 to 6 to file additional pleadings/additional documents within a period of eight weeks from 12/8/2021.

6. Parties are directed to remain present before the Deputy Registrar on 12/8/2021, at 11.00 a.m.

7. The Deputy Registrar to expedite the proceedings and in any event, dispose of the applications within a period of four months from 12/8/2021.

8. The Writ Petition is disposed of.

(M.S.KARNIK, J.)

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