

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2044 OF 2017

Prakash s/o Marotrao Lonare,
Aged about 52 years, Occ. Fisherman,
R/o Nandanvan, Nagpur

...PETITIONER

...VERSUS...

- 1) Deputy Registrar,
Cooperative Societies (Fisheries),
Maharashtra State, Mumbai.
- 2) Assistant Registrar,
Cooperative Societies (Dairy), Nagpur.
- 3) Ramesh Maniram Kamthe,
Aged about 55 years, Occ: Fisherman,
R/o At post Matkazari, Tq. Umred,
Dist. Nagpur.
- 4) Matsyagandha Jalkrushak Sahakari Sanstha Ltd,
Wadad, At Post Matkazari, Tq. Umred, Dist. Nagpur
bearing reg.No.1158, through its Secretary, Wadad,
At post Matkazari, Tq. Umred, Dist. Nagpur.

...RESPONDENTS

Shri A.M. Ghare, Advocate for petitioner.
Shri K.L. Dharmadhikari, A.G.P. for respondent Nos.1 and 2.

CORAM:- V. M. DESHPANDE, J.
DATED :- JANUARY 22, 2021

ORAL JUDGMENT

1. **Rule.** Rule made returnable forthwith. Heard finally by consent of the parties.

2. The learned Assistant Government Pleader submitted that before exercising the writ jurisdiction, filling of revision is

available under Section 154 of the Maharashtra Cooperative Societies Act, 1960 (hereinafter referred to as “the said Act”).

2. The petitioner has filed this writ petition challenging the order passed by the Assistant Registrar, Cooperative Societies (Dairy), Nagpur dated 23.01.2017, which is confirmed by the Deputy Registrar, Cooperative Societies (Fisheries), Mumbai dated 24.03.2017.

3. Upon this, Shri A.M. Ghare, learned counsel for the petitioner submits that there is no difficulty for the petitioner to file a revision under Section 154 of the said Act. He, however, submits that the interim stay granted in this writ petition on 05.04.2017 shall be continued for next four weeks.

4. The writ petition is disposed of with liberty to the petitioner to file revision under Section 154 of the said Act within a period of four weeks from today and interim order granted on 05.04.2017 shall remain in operation for next eight weeks from today.

5. The contentions raised in this writ petition are kept open and the Revisional Authority shall decide the revision on its own merits, in accordance with law.

6. Needless to mention, if the revision is filed within a period of four weeks, the revision shall be decided as early as possible and in any case within a period of six months from the date of presentation of the revision.

7. Needless to mention, if the revision is accompanied with the application for condonation of delay, it is expected from the Revisional Authority to consider it in the light of pendency of this writ petition.

JUDGE

Wagh