

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

WRIT PETITION NO.7003 OF 2016

Mukesh s/o Natwarlal Patel, Bhandara
Vs.
Divisional Joint Registrar, Nagpur and others
WITH

WRIT PETITION NO.4151 OF 2017

Mukesh s/o Natwarlal Patel, Bhandara
Vs.
Divisional Joint Registrar, Nagpur and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. M. Ghare, Advocate for petitioner in both petitions
Mr. A. A. Madiwale, AGP for respondent No.1 in both petitions.
Mr. N. L. Jaiswal, Advocate for respondent Nos.15 and 16 in
wp.7003/2016

CORAM : AVINASH G. GHAROTE, J.
DATE : 08/10/2021

After hearing for some time, when Mr. Madiwale, learned AGP for respondent No.1 points out that there is an alternate remedy of an appeal under Section 152 of the Maharashtra Co-operative Societies Act, 1960 (hereinafter "MCS Act") available to challenge the order passed under Section 88 of the said Act.

2. Mr. Ghare, learned counsel for the petitioner seeking withdrawal of these petitions with liberty to file the appeal under Section 152 of the MCS Act.

3. Statement is accepted.

4. The writ petitions are therefore, dismissed as withdrawn, with liberty as prayed.

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16.wp.7003.2016 & 4151.2017

5. Needless to mention here that any plea raised by the petitioner regarding the benefit under Section 14 of the Limitation Act shall be appropriately considered by the Appellate Authority.

6. Mr. Ghare, learned counsel for the petitioner submits that appeal shall be filed by the petitioner within two weeks from today, hence the interim order dated 03.07.2017 be continued for a further period of three weeks, so as to enable the petitioner to secure appropriate orders in appeal.

7. The request is accepted.

8. The interim order dated 03.07.2017 shall continue to operate for a period of three weeks from today.

JUDGE

Sarkate