

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.1343 OF 2022

Mangal w/o Bhausahab Gunjal ... **PETITIONER**

VERSUS

Kishor s/o Marotirao Joshi & ors. ... **RESPONDENTS**

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Mr. R.V. Gore, Advocate for petitioner

Mr. S.P. Sonpawale, A.G.P. for respondent No.10

Ms Komal Kandharkar, Advocate for respondent No.1 to 4 and 9

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CORAM : R. G. AVACHAT, J.

DATE : 27th January, 2022.

PER COURT :

Heard. The enquiry under Section 83 has already been completed. Subsequent thereto, some of the office bearers of the Society are said to have moved the Deputy Registrar for expungement of some remarks in the audit report. The petitioner herein, in the capacity as member of the managing committee, has sought for intervention in the proceedings before the Deputy Registrar. His application has been rejected. It is informed that, the matter has been posted for today itself for final hearing.

2. Section 154 of the Maharashtra Co-operative

Societies Act provides remedy of revision against any decision or order passed in any enquiry or proceeding by any of the authorities under the Act. As such, the order passed by the authority under the Co-operative Societies Act, declining the petitioner herein intervention in the proceeding would be an order in the proceeding which could have been challenged in revision. As such, the petitioner herein has an equally efficacious alternate remedy in the nature of revision. Moreover, if the final order goes against the petitioner being member of the managing committee of the society, he can very well challenge the final order that may be passed in the proceedings under challenge in this Writ Petition. The Writ Petition therefore stands disposed of.

3. With a view to give an opportunity to the petitioner herein to approach the revisional authority, the authority concerned shall not pass any final order in the proceeding for next one week.

(R. G. AVACHAT)
JUDGE

fmp/-