

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 WRIT PETITION NO.11235 OF 2022

JAY MALHAR MATSYA VYAVASAY SAHAKARI SANSTHA LIMITED
THROUGH ITS CHAIRMAN MANOJ SHIVAJI BUDHAL
VERSUS
STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...
Advocate for Petitioner : Mr Mahesh Ramnath Sonawane
AGP for Respondent/State : Mr K.B. Jadhavar

CORAM : SANDEEP V. MARNE, J.
DATE : 16th NOVEMBER, 2022

PER COURT :

1, By the present petition, the petitioner challenges order dated 21.01.2022 passed by the Commissioner (Fisheries) rejecting petitioner's application for condonation of delay in filing revision under section 154 of the Maharashtra Co-operative Societies Act, challenging the order dated 14.03.2013 passed by the Deputy Registrar, Co-operative Societies (Fisheries) in Appeal No.47/2012.

2. Learned counsel for the petitioner submits that the order dated 14.03.2013 was passed behind the back of the petitioner and that the petitioner society was not aware of passing of that order. He would further submit that the petitioner society noticed the factum of passing of order dated 14.03.2013 only in the year 2018 and accordingly, proceeded to file revision before the Commissioner (Fisheries).

3. By order dated 14.03.2013, Pimpalwadi Tank was directed to be included in the bylaws of respondent No. 6 society. The Commissioner

(Fisheries) in his order has recorded findings that the contract in respect of Pimpalwadi Tank was granted to respondent No. 6 society since the year 2005. No material is placed on record by the petitioner to indicate that at any point of time, after 14.03.2013, the contract of the tank was ever granted in favour of the petitioner. It is therefore, difficult to believe that the petitioner society acquired knowledge about passing of order dated 14.03.2013 in the year 2018, as alleged.

4. In my opinion, the Commissioner (Fisheries) has rightly refused to condone the delay in filing revision by the petitioner. There is no infirmity in the order passed.

5. The writ petition is devoid of merits and the same is dismissed with no order as to costs.

[SANDEEP V. MARNE, J.]

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