

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

**WRIT PETITION NO.1360 OF 2020
WITH WRIT PETITION NO.1359 OF 2020**

**DATTATRYA ASHOKRAO MULE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr. S. G. Dodya
AGP for Respondents – State : Mr. S. B. Pulkundwar
Advocate for Respondent No.4 : Mr. T. G. Gaikwad

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 28TH MARCH, 2022

PER COURT :

1. Both these petitions challenge the orders passed by respondent No.2 Divisional Joint Registrar, Cooperative Society, Latur, thereby allowing the revision applications filed by respondent No.4 and remanding the matter back to respondent No.3. According to the petitioners, the impugned orders are passed in gross violation of principles of natural justice, as the petitioners were not heard while passing the impugned orders.

2. The learned advocate for respondent No.4 vehemently opposed the prayer of the petitioners.

3. It appears from the record that the petitioners were not served in the revision applications. The learned advocate for respondent

No.4 was unable to point out from the record that the petitioners were served. In the impugned order also it is not stated that the petitioners were served. It is only mentioned that R.P.A.D. notices were sent to the petitioners, however, the petitioners did not remain present at the time of hearing of the revision application.

4. In the light of the above, there appears substance in the contention of the petitioners that the petitioners were not given opportunity of hearing while deciding the revision applications. The impugned orders, therefore, are vitiated for violation of principles of natural justice.

5. In the result, both the writ petitions are allowed in terms of prayer clause 'B'. The Revision Application Nos. 151/2018 and 149/2018 are remanded back to respondent No.2 for decision on merit. The parties shall appear before respondent No.2 on 04-04-2022. Formal notices of hearing of revision applications stand dispensed with.

6. Both the revision applications shall be decided within a period of six weeks from 04-04-2022. The writ petitions are allowed and disposed off in the above terms.

(NITIN B. SURYAWANSHI, J.)