

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.801 OF 2022

Meerabai Gorakh Chavanke & Ors. .. Petitioners

Versus

The State of Maharashtra (through
Co-Op.Soc. Mantralaya) & Ors. .. Respondents

...

Mr.Pritesh K. Bohade for the Petitioners.

Mrs.V.S.Nimbalkar, AGP for the State/Respondent.

...

CORAM: RAVINDRA V. GHUGE, J.
DATED : 27th JANUARY, 2022

P.C:-

1. The petitioners have put forth prayer clauses (a) and (b), which read as under :-

“(a) That this Hon’ble Court be pleased to set aside the unlawful proceeding initiated against the Petitioners by the Respondent no.1 and 2 u/s.101 and 107(3) of the cooperative societies Act 1960.

(b) This Hon’ble Court be pleased to direct the Respondent no.2 to decide the Appeal filed by the Petitioners on the basis of outcome/order in the M.P.I.D. Sessions Case no.2 of 2018 pending at Sessions Court Nashik.”

2. After a hearing in this matter, though a copy of the petition paper-book is not served upon the learned AGP, it is conceded that the petitioners have challenged Section 101 certificate by filing a proceeding before respondent No.2-Revisional Authority. The learned Advocate for the petitioners has no knowledge as to whether 50% of the amount, as required under Section 154(2A) of the Maharashtra Co-Operative Societies Act, 1960, has been deposited or not.

3. In view of the above, this petition is not required to be entertained as a statutory remedy has already been availed of.

4. As such, this petition is dismissed.

5. Needless to state, respondent No.2 is at liberty to commence the hearing in the revision proceedings, subject to the due compliance of the provisions of the Maharashtra Co-Operative Societies Act, 1960.

(RAVINDRA V. GHUGE, J.)