

6 October, 2022.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7008 OF 2022
WITH
WRIT PETITION NO. 7062 OF 2022
WITH
WRIT PETITION NO. 7061 OF 2022

Mrs. Sarala Laxman Nagare

and Ors.

....Petitioners

V/s.

The State of Maharashtra, through

its Secretary, Finance Dept. and Ors.

....Respondents

Mr. Vaibhav V. Ugle, Advocate for the petitioners.

Mr. C.D. Mali, AGP for State.

CORAM : SANDEEP K. SHINDE, J.

THURSDAY, 6TH OCTOBER, 2022.

P.C. :

1. Heard Mr. Ugle, learned Counsel for the petitioners and Mr. Mali, AGP for State.

2. These petitions challenge the order dated 29th March, 2022 passed in Arbitration Application No.04/2022 by

the District Judge, Nashik arising out of the Award passed under Section 69 of the Chit Fund Act, 1982. The learned District Judge, rightly held that the statutory remedy against the Award under Section 69, is an Appeal under Section 70 before the State Government. Therefore, the order impugned, calls for no interference.

3. In the event, the petitioners file Appeals, the State Government shall apply the principles embodied in Section 14 of the Limitation Act, in computing the period of limitation.

4. It is made clear, that this Court, has not heard the petitioners on merits. Thus, the State shall decide the Appeals on its own merits, without being influenced by the order of this Court.

5. All contentions of the petitioners are kept expressly open.

6. All petitions are disposed of in the aforesaid terms.

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(SANDEEP K. SHINDE, J.)