

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6698 OF 2019

Mr. Kanaiyalal V. Mehta and Ors. ...Petitioners
V/s.
Divisional Joint Registrar of the Co-operative
Societies, Mumbai Division and Ors. ...Respondents

Dr. U. P. Warunjikar, for the Petitioners.
Ms. Usha R. Tiwari a/w. Manshi Jain, for the Respondent No.4.

CORAM : C.V. BHADANG, J.
DATE : 18 OCTOBER 2022

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. The challenge, in this petition is to the order dated 23 October 2018, passed by the Divisional Joint Registrar, Cooperative Societies, Mumbai Division, Mumbai in Appeal No.13/2016, by which the Divisional Joint Registrar has allowed the appeal and remanded the matter to the Deputy Registrar, Cooperative Societies, Mumbai under Section 77(A) of the Maharashtra Cooperative Societies Act, 1960.

2. It appears that during the pendency of this petition, the Deputy Registrar has decided the matter under Section 77(A) by order dated 29 June 2019 holding that there is no need to take

action under Section 77(A) of the said Act. The Petitioner has filed Interim Application No.1/2019 for amendment challenging the order dated 29 June 2019.

3. In my considered view, the challenge in the petition as framed and filed is to the order of remand. That order has already worked itself out as the Deputy Registrar after remand has decided the matter under Section 77(A).

4. In such circumstances, the writ petition is disposed of. Needless to mention that the Petitioner can independently challenge the order dated 29 June 2019, if so advised and the grounds as raised in the present petition are also left open, to be agitated in such challenge, if made. In the circumstances, there shall be no order as to costs. Pending civil application stands disposed of. All the rival contentions of the parties inter se are left open.

C.V. BHADANG, J.