

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9559 OF 2022**

Sharawati Shankargouda Patil	Petitioner
Versus	
The Assistant Registrar of Co-operative Societies, Bhairavnath Datta Nagari	Respondent

Mr. Mutahhar Khan along with Mr.Shankargouda Patil i/b. Mr.Rajesh Gupta, Advocate for the Petitioner.
Ms. M. S. Bane, AGP for the State.

**CORAM : PRASANNA B. VARALE &
KISHORE C. SANT, JJ.**

DATE : 10th AUGUST, 2022.

P.C. :

1. Heard learned counsel for the petitioner as a very limited grievance is raised in the petition. With consent of learned counsel appearing for the respective parties, the petition is taken up for hearing and disposal at the stage of admission itself.

2. It may not be necessary for us to refer to the facts in detail. Suffice to say that the petitioner claims to be a former committee member of the management committee of Pebble Beach Co-operative Housing Society Ltd., Tower-1, Lodha Belmonde, Gahunje, Pune. The petitioner filed a complaint with the sole respondent – Assistant Registrar of Co-

operative Societies on 23rd June, 2021. Various grievances in the form of complaint were raised. Then, again on 10th July, 2021, 13th July, 2021, 15th July, 2021, 23rd July, 2021, 18th August, 2021, 2nd September, 2021, 30th September, 2021 and 3rd December, 2021 the petitioner made complaints to the adjudicating authority. It is stated in the petition that a letter was received by the petitioner in respect of hearing scheduled on 6th January, 2022 and then on certain dates viz. 24th January, 2022 and 10th February, 2022, the hearing proceeded and on 17th March, 2022, the hearing was concluded. The grievance is that though the grievance is concluded on 17th March, 2022 and though the petitioner was expecting a decision in reasonable period, in spite of waiting for considerable length of period, when no order was passed, the petitioner was left with no option but to approach this Court by filing the present petition on 20th July, 2022. In the backdrop of the above referred facts, prayer clause (ii) is couched, which reads thus :

“ii. This Hon’ble Court be pleased to direct the respondent to issue an adjudicating order for the complaints filed by the Petitioner. There is repeated violation of Bye Laws prescribed under the Maharashtra Co-operative Societies Act; (MCS Act), 1960, by the Chairman and Vice-chairman of the PBCHS, which was communicated time to time by the petitioner to the Respondent.”

3. Considering these facts, the petition is disposed of with direction to the sole respondent to pass an order in the proceedings/complaint dated 23rd June, 2021 filed by the petitioner as expeditiously as possible and not later than six weeks from today, if order is not already passed by the sole respondent.

4. Needless to state that this Court has not made any observation on the merits of the proceedings/complaints and, as such, respondent shall pass the order on the merits of the proceedings/complaint as well as considering the written submissions if placed on record and oral submissions if advanced before the authority.

5. In view of the above, the writ petition stands disposed of.

(KISHORE C. SANT, J.)

(PRASANNA B. VARALE, J.)