

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.4902/2022

Smt. Jamnaprasad Bhagwati Prasad Tiwari,
through his Power of Attorney Ganesh
Jamnaprasad Tiwari, aged 35 Yrs.,
Occ. Agriculturist, R/o Sakharkherda,
Sindhkhedraja, Dist. Buldhana.

... Petitioner

- Versus -

1. Registrar General of Money Lending
and Registrar, Co-op. Societies,
Dist. Pune, Pune.
2. Divisional Joint Registrar,
Co-operative Societies, Amravati,
Dist. Amravati.
3. District Deputy Registrar,
Co-operative Societies, Buldhana,
Dist. Buldhana.
4. Baban Narayan Londhe,
age Major, Occ. Agriculturist
(Money Lender), R/o Sakharkherda,
Sindhkhedraja, Dist. Buldhana.

... Respondents

Mr. Vipul B. Bhise, Advocate for the Petitioner.
Mrs. K.S. Joshi, Additional Government Pleader for Respondent
Nos.1 to 3.

**CORAM : SUNIL B. SHUKRE
AND ANIL L. PANSARE, JJ.
DATE : 15.11.2022**

ORAL JUDGMENT (Per Sunil B. Shukre, J.)

Heard.

2. Learned counsel for the petitioner states that direction issued by this Court on 18.8.2022 that the Registrar General of Money Lending and Co-operative Societies, Pune i.e. respondent No.1 shall consider and decide the stay application filed by the petitioner in the revision pending before him on its own merits, after giving an opportunity of hearing to all the parties has not been complied with by respondent No.1.

3. Learned Additional Government Pleader submits that she has received no instructions from respondent No.1 on this aspect.

4. Learned counsel for the petitioner submits that the next date of hearing is 14.12.2022 before respondent No.1 and if a further direction is issued by this Court, it would go a long way in serving cause of justice.

5. Considering the fact that no instructions have been given to learned Additional Government Pleader, we have to accept the statement made by learned counsel for the petitioner regarding pendency of the stay application with respondent No.1 and respondent No.1 not complying with the direction of this Court issued on 18.8.2022 as correct. Accordingly, the **rule** is issued. Heard finally by consent.

6. We direct respondent No.1 to decide the application filed by the petitioner, in accordance with law, as expeditiously as possible and within two weeks from the date of appearance of the petitioner before him. The petitioner shall appear before respondent No.1 on 14.12.2022 at 11 a.m.

7. Till the stay application is decided by respondent No.1, the parties are directed to maintain *status quo* in respect of sale deed in question. Rule is made absolute in the above terms. No costs.
8. Steno copy of the judgment be furnished to both sides.

(ANIL L. PANSARE, J.)

(SUNIL B. SHUKRE, J.)

Tambaskar.

Signed By: NILESH VILASRAO
TAMBASKAR

Private Secretary
Date: 16.11.2022 10:09