

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 7191 of 2019

[The Yavataml Zilla Majoor Kamgar Sahakari Sansthancha Sangh No. 2, Yavatmal through its President
Amit. V. Deshmukh ..vs.. The State of Maharashtra through its Secretary, Ministry of Co-operation,
Marketing and Textile Dept. and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. B. Patil, Advocate for the petitioner
Mr. K. L. Dharmadhikari, AGP for respondents 1 to 3
Mr. S. S. Ghate, Advocate for respondent 4

CORAM : ROHIT B. DEO, J.

DATED : 13-1-2022

The order assailed is rendered by the Joint Registrar of Co-operative Societies, Amravati in exercise of appellate jurisdiction under Section 152 of the Maharashtra Co-operative Societies Act (Act) whereby the registration of the petitioner as federal society is cancelled at the instance of respondent 4.

2. Concededly, the order impugned is subject to further challenge in revision under Section 154 of the Code which is held by this Court to be alternate and equally efficacious remedy.

3. Mr. Amol Patil would, however, urge that considering that the petition is pending since October, 2019 and the pleadings are complete, this Court may

entertain the petition in writ jurisdiction. I am not inclined to accept the submission.

4. Bypassing the statutory remedy, which is already held by this Court to be equally efficacious may be justified in exceptional cases, illustratively where the order is rendered without hearing the affected party or the order impugned suffers from a jurisdictional error. Nothing of this sort is brought to my notice.

5. The petition is dismissed.

6. The petitioner may approach the revisional authority.

7. If revision is preferred within the next two weeks, the same shall be decided on merits, as expeditiously as possible, and in any event, within 90 days from the filing of the revision.

8. The learned counsel for the respondents fairly states that the tenability of the revision shall not be objected on the ground of limitation. The revisional authority shall take due note of the statement made.