

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 WRIT PETITION NO.3619 OF 1999

GURUJAN COOPERATIVE HOUSING SOCIETY LTD A'BAD
VERSUS
RAJANI JAGANNATH MUSALE AND ORS

...

Advocate for Petitioner : Mr. S. R. Barlinge
AGP for Respondents-State : Mr. P. G. Borade
Advocate for Respondent No.1 : Mr. P. V. Mandlik

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CORAM : ARUN R. PEDNEKER, J.
DATE : 05th April, 2023

PER COURT :

1. Heard the learned Advocate for the petitioner. The learned Advocate for the petitioner submits that the Hon'ble Secretary (Cooperation), by order dated 14/06/1999 has allowed Revision Application No.RVA-1692/3148/172/15-C, filed under Section 154 of the Maharashtra Cooperative Societies Act, 1960. The learned Advocate submits that the Revision Petition was allowed without the hearing of the petitioner herein.

2. The learned Advocate for the respondents has not been able to demonstrate that the petitioner was heard in the matter by the Revisional Authority before passing the impugned order. In view of the same, the order passed by the Secretary is set aside and matter is

remitted back for fresh adjudication as the decision was taken without hearing of the petitioner herein. As long passage of time has passed after passing of the impugned order, it is directed that the learned Secretary to pass an appropriate order in the revision petition within a period of six (6) months from the date of intimation of the order. The writ petition stands disposed of.

3. Parties to appear before the Secretary on 03/05/2023.
4. The parties as well as the learned AGP to communicate the order to the Hon'ble Secretary. All contentions are kept open.

(ARUN R. PEDNEKER, J.)

vj gawade/-.