

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
AURANGABAD BENCH : AURANGABAD**

WRIT PETITION NO. 7474 OF 2022

Vitthal s/o Tukaram Chavre

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr. A. N. Irpatgire, advocate for the petitioner

Mr. D. R. Kale, Government Pleader for Respondents No.1 to 6.

**CORAM : S.V.GANGAPURWALA, ACTING CJ &
GAURI GODSE, J.**

DATE : 23rd January, 2023.

PER COURT :

1 Mr. Irpatgire, learned Counsel for the petitioner, submits that the petitioner has assailed the recovery certificate issued against him under Section 154 of the Maharashtra Co-operative Societies Act, 1960. Though the Revision was dismissed, clause 3 of the order states that the recovery shall be made as per the fact finding report of Mr. D. T. Gaikwad, Special Auditor, Class-II, Co-operative Societies.

2 The learned Counsel for the petitioner submits that Mr. D. T. Gaikwad has conducted fact finding inquiry and arrived at a particular amount. As per the said fact finding report, excess amount

has been recovered by the Society. The petitioner has submitted a representation to the authorities concerned for remitting the excess amount recovered, however, the same has not been considered.

3 We have heard the learned Government Pleader also.

4 The order of revisional authority is a *quasi* judicial order. The parties are bound by the said order.

5 In the light of that, in case the representation filed by the petitioner (at page 41) for refund of excess amount is pending with the authority concerned, then the concerned authority shall decide the same, after hearing the petitioner and Respondents No. 7 and 8, on its own merits and in accordance with law expeditiously, preferably within four months from the date of appearance of the parties before it.

6 Writ Petition is disposed of. No costs.

[GAURI GODSE, J.]
adb

[ACTING CHIEF JUSTICE]