

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

920 WRIT PETITION NO.13185 OF 2022

**RAKESH RAMNATH KAWADE
VERSUS
DEPUTY REGISTRAR COOPERATIVE SOCIETY AND OTHERS**

...
Advocate for Petitioner : Mr. P.S. Pawar
AGP for Respondent 1 : Mr. A.A. Jagatkar
Advocate for Respondents 2 & 3 : Mr. V.A. Bagdiya
...

**CORAM : ARUN R. PEDNEKER, J.
DATED : 14/03/2023**

PER COURT :

1. By way of present writ petition, the petitioner is challenging the order dated 1.2.2022 passed by the Divisional Joint Registrar, Cooperative Societies, Aurangabad in Revision Application No. 70/2021, wherein revision petition was dismissed on account of delay of 9 months and 21 days in filing the revision. The revision petition was filed in the month of October 2021 challenging the 101 certificate issued on 4.1.2021 and as such, there was aforesaid delay.

2. The learned counsel for the petitioner submits that he has complied with all other formalities and requirement of law and the delay was due to covid-19 pandemic. It is common knowledge that covid-19 was prevailing during this period. In view of the same, the application filed for condonation of delay ought to have been allowed by the learned Divisional Cooperative Registrar. In view of the same, the impugned order is quashed and set aside. Delay is condoned. Revision petition is restored to file and the same shall be decided on its own merits.

3. The learned counsel for respondent Bank submits that there is non

compliance of provision of section 154, sub-clause (2A) in respect of deposit of 50% amount due. All contents are left open. The writ petition is disposed of.

[ARUN R. PEDNEKER J.]

ssc/