

Chaitali Ekke

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 352 OF 2023**

Arun Sitaram Chambhare	...Petitioner
V/s.	
State of Maharashtra and Ors.	...Respondents
Mr. Sumit Kothari, Advocate for Petitioner.	
Mr. K.S. Thorat, AGP for Respondent-State.	

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**CORAM : K. R. SHRIRAM &
RAJESH S PATIL, JJ.**

DATED : 12th JANUARY 2023

P.C.:

1 Yesterday when the Petition was taken up for admission, Mr. Thorat requested the matter be stood over to today to enable him to take instructions.

2 The primary grievance in the Petition is that Petitioner has filed the Revision Application being Revision Application No. 11 of 2022 under section 154 of Maharashtra Co-operative Societies Act, 1960 (the said Act) which application is not being decided though the Revision Application was lodged sometime in December 2022. It is also Petitioner's contention that if Respondent No.3, without Respondent No.2 deciding the Revision Application, proceeds with the proceedings before him under section 78A of the said Act, the entire Revision Application will be rendered infructuous.

3 Mr. Thorat, on instructions, states that Revision Application No. 11 of 2022 will be heard on 19.01.2023 at 11.00 a.m. when Petitioner may remain present and reasoned order will be passed and communicated to Petitioner on or before 10.02.2023. Mr. Thorat also states that a third party has filed an Intervention Application in the Revision Application which will also be heard on 19.01.2023. Mr. Kothari is expressing surprise on the statement of Mr. Thorat about the intervention application. Mr. Thorat states that a copy of the Revision Application will be made available to Petitioner on or before 23.01.2023 and Petitioner could even approach Respondent No.2 today itself to collect a copy of the Intervention Application.

4 In view of the statement made by Mr. Thorat, which are accepted as undertaking to this court Petition disposed. No order as to costs.

5 Respondent No.3 shall not take any steps in furtherance to notice under section 78A of the Act until 15.02.2023.

6 We clarify that we have not made any observations on the merits of the matter.

(RAJESH S. PATIL, J.)

(K. R. SHRIRAM, J.)