

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4534 OF 2022

Samir Ismail Khan

... Petitioner

Versus

Deputy Registrar,
Co – op. Societies, Pune
(Pune Zilla Nagari Sahakari Bank
Associates Ltd.), Pune and Ors.

... Respondents

.....

Mr.Sanjiv Sawant a/w. Ms.Bhakti Wast i/b. Mr.Samir Suryawanshi,
Advocate for the Petitioner.

Mr.Sidheshwar N. Biradar, Advocate for Respondent Nos.2 and 3.

Mrs.R.A. Salunkhe, AGP for Respondent No.10–State.

.....

**CORAM : NITIN JAMDAR AND
MANJUSHA DESHPANDE, JJ.**

DATE : 21 DECEMBER 2023.

P.C. :

On 25 January 2018, the Deputy Registrar Co–operative Society, Pune and thereafter on 21 January 2022 the Divisional Joint Registrar, Pune had passed orders against the Petitioner. The Petitioner filed a Revision on 25 March 2022 and, within four days thereafter on 29 March 2022 filed this Petition making a grievance that his Revision is not being decided and the Petitioner will suffer prejudice.

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2 On 19 April 2022 The Division Bench issued notice to the Respondents and in the meanwhile ad-interim relief was granted in respect of orders challenged in the Revision Application. Thereafter, the Writ Petition has remained pending and it has come up before the Court in regular course.

3 On 19 December 2023, we had called upon the learned AGP to take instructions regarding the status of the Revision. Today, we are informed that the Revision Application is still pending and it would take two months to decide the Revision Application.

4 The Revision Application is pending for more than one and half years. Ad-interim order has continued in this Petition. There was no stay for deciding the Revision Application. There is no reason why the Revision Application has not been decided.

5 We are increasingly coming across instances where Writ Petitions are filed for the sole reason that the Revisional Authorities of the State Government are not passing orders. The impression seems to have gathered that the High Court is a substitute for the failure of the Revisional Authority. That the Revisional Authority not available to grant interim or final orders or there is a delay in disposal can at the most be in extraordinary circumstances. Unfortunately, it has become a routine occurrence, leading to large number such petitions being filed in this Court.

6 Therefore, we direct that the Revision Application be decided within three weeks from the date of the order is upload.

7 The learned AGP states that this order will be communicated to the Revisional Authority.

8 The Petitioner will appear before the Revisional Authority on 26 December 2023 and the Revisional Authority thereupon on that day or on 27 December 2023, will consider the Petitioner's Application for continuation of the order passed by this Court till the date of disposal of the Revision Application.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)