

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6268 OF 2022

Hirachand Vasant Jojare ...Petitioner

V/s.

Shivaji Laxman Bhosale and Ors. ..Respondent

**ALONGWITH
WRIT PETITION NO. 6269 OF 2022**

Hirachand Vasant Jojare ...Petitioner

V/s.

Mohan Hanumant Bhosale ..Respondents
(Decd.) Thr. LRS and Ors.

**ALONGWITH
WRIT PETITION NO. 6270 OF 2022**

Hirachand Vasant Jojare ...Petitioner

V/s.

Ismail Usman Patel and Ors. ..Respondents

**ALONGWITH
WRIT PETITION NO. 6271 OF 2022**

Hirachand Vasant Jojare ...Petitioner

V/s.

Dhanaji Nandappa Jadkar (Decd.)
Thr. Lrs. And Ors. ..Respondents

Mr. Ashok B. Tajane with Mr. Balaji P.Shinde, Mr. Yuvraj A. Tajane and Mr. Yogesh G. Thorat, for the Petitioner.

Mr. Sarang S. Aradhye with Ms. Gauri Velankar, Ms. Shruti Kohthavade and Mr. Shantanu Gurav, for Respondent Nos. 1 and 2.

Mr. S.D. Rayrikar, AGP for Respondent Nos.3 to 5.

CORAM : SANDEEP V. MARNE, J.

Dated : 16 October 2023.

P.C. :

1. Heard learned counsel for the parties.
2. The grievance in these petitions is about Shri. Kundan Bhole, the District Deputy Registrar of Co-operative Societies, Solapur deciding the proceedings initiated against the Petitioners under the provisions of the The Maharashtra Money Lending (Regulation) Act, 2014 (**Money Lending Act**). An apprehension was expressed that Mr. Kundan Bhole had earlier acted as the Deputy Registrar and had conducted certain enquiries. Later, he came to be promoted and posted as District Deputy Registrar, Solapur and was about to decide the complains filed against the Petitioners. Petitioners therefore apprehended that since Shri. Kundan Bhole has already conducted some enquiries as also complaints were filed

Note : Corrections are carried out in the appearance only pursuant to speaking to minutes order dated 23 October 2023.

against him, he was likely to be biased against the Petitioners while deciding the complaints filed under the Money Lending Act. Accordingly, a request was made to the Divisional Joint Registrar, Co-operative Societies, Pune for transferring the proceedings from Shri. Kundan Bhole.

3. Accordingly, the Divisional Joint Registrar, by order dated 9 October 2019, transferred the proceedings to the District Deputy Registrar, Co-operative Societies, Pune (Rural). However this decision came to be subsequently withdrawn by the Divisional Joint Registrar by orders dated 8 March 2021 and 7 December 2021. Petitioners are accordingly aggrieved by the said orders dated 8 March 2021 and 7 December 2021 and have filed the present petition.

4. Mr. Rayrikar, the learned AGP would submit that Shri. Kundan Bhole is no longer acting as District Deputy Registrar, Co-operative Societies, Solapur and has since been transferred to another post. That a new incumbent Officer is functioning on the post of the District Deputy Registrar, Co-operative Societies, Solapur. Therefore, the very apprehension with which the present petitions are filed, no longer survives. In that view of the matter, the present petitions are disposed of.

5. Mr. Tajane, the learned counsel appearing for the Petitioners, on instructions, submits that Mr. Kundan Bhole had passed orders declining opportunity of cross-examination to the Petitioners and that Petitioners have already filed applications for setting aside the “No Cross Order”. Since the official occupying the post of District Deputy Registrar, Co-operative Societies, Solapur is now changed, let those applications filed by the Petitioners be decided on their own merits.

6. In view of the above, the Writ Petitions are **disposed of**.

SANDEEP V. MARNE, J.

NEETA
SHAILESH
SAWANT

Digitally
signed by
NEETA
SHAILESH
SAWANT
Date:
2023.10.27
11:10:20
+0530