

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

WRIT PETITION NO.14986 OF 2022

Ravi Developments and Another ...Petitioners
vs.

The Divisional Registrar of Co.Op. Societies
Konkan Division and Others ...Respondents

Mr. Amjad Pathan i/b. Mr. Santosh Sitap, for the Petitioners
Mr. C.D. Mali, AGP, for the Respondents-State

CORAM : N. J. JAMADAR, J.

DATE : MARCH 16, 2023

P.C.:

1. Heard the learned counsel for the petitioners.
2. Being aggrieved by the dismissal of the Revision Application No. 43 of 2020 for non-appearance by the Divisional Joint Registrar, the petitioners have preferred this petition.
3. Perused the impugned order.
4. The Divisional Joint Registrar of the Cooperative Societies was persuaded to dismiss the Revision Application No. 43 of 2020 for default of appearance of the petitioners.
5. It was recorded that since the filing of the Revision Application, the revision applicants did not appear even after the lockdown restrictions were lifted and thus the revision applicants had lost interest in prosecuting the Revision Application. It does not appear that the respondent No. 4, the contesting party had ever

appeared before the Revisional Authority. Major period for which the Revision Application was pending before the Revisional Authority, was covered by Covid 19 pandemic.

6. Thus, to advance the cause of substantive justice and to provide an effective opportunity of hearing, it would be expedient to set aside the order of dismissing the Revision Application for default in appearance of revision applicants.

7. Hence, the impugned order dated 7th July, 2022 passed in Revision Application No. 43 of 2020 stands quashed and set aside.

8. The Revision Application No. 43 of 2020 is restored to the file of Divisional Joint Registrar.

9. The Divisional Joint Registrar shall decide the Revision Application afresh after providing an effective opportunity of hearing to all the parties including respondent No. 4.

10. Petition disposed.

(N. J. JAMADAR, J.)