

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 15065 OF 2022**

Shamim Akhtar & Anr.

..Petitioners

Vs.

The Divisional Joint Registrar
Cooperative Societies & Ors.

...Respondents

Mr. Prashant Kulkarni for Petitioners.

Smt. V. S. Nimbalkar, AGP for Respondent Nos.1, 2 & 7.

CORAM : G.S. KULKARNI, J.
DATE : JANUARY 18, 2023

P.C.:

1. Not on board. Taken on board on a praecipe being moved on behalf of the petitioners.
2. Heard learned counsel for the petitioners and learned AGP for respondent nos.1, 2 and 7.
3. It is stated that earlier private notice was issued on the respondents, however, notice on the present application was not served on the private respondents.
4. Be that as it may, learned counsel for the petitioners states that the only prayer the petitioners are asserting is that a revision application which is pending before respondent no.7-the Hon'ble Minister/State of Maharashtra be decided expeditiously. Learned counsel for the petitioners has stated that the revision application in question has been filed before the Hon'ble Minister assailing an order dated 14 June, 2022 passed by the Divisional Joint Registrar, Co-operative Societies, Mumbai Division on an appeal No.193 of 2018. The proceedings in question

have arisen from an enquiry conducted under Section 88 of the Maharashtra Co-operative Societies Act, 1960 (for short, "MCS Act") against the petitioners culminating into an order dated 28 May, 2018 passed by the authorised officer under Section 88 of the MCS Act, whereby the petitioners have been held to be guilty of inappropriately withdrawing the funds of the society to the extent of Rs.31,17,187. Against such order, the Appellate Authority has dismissed the petitioner's appeal against which the revision application in question has been filed.

5. In the above circumstances, in my opinion, it is appropriate that the revision application itself be decided by the Hon'ble Minister as expeditiously as possible and preferably within a period of 3 months from today. This more particularly as now the Revisional Authority would be available in Mumbai as it is stated that the Winter Session of the Legislative Assembly at Nagpur stands concluded.

6. All contentions of the parties on merits are expressly kept open.

7. Disposed of. No costs.

[G.S. KULKARNI, J.]