

Arjun

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

WRIT PETITION NO.12640 OF 2023

Ambernath Sahakari Samudaik Shetki ...Petitioner
Society Limited

V/s.

Assistant Registrar Co-operative Society ...Respondents
Ambernath Taluka & Ors.

Mr. Vishnu Chavan i/b Mehul Thakkar, for the Petitioner.
Smt. V. S. Nimbalkar, AGP, for Respondent Nos.1, 2 & 4.

CORAM : MADHAV J. JAMDAR, J.
DATED : OCTOBER 17, 2023

P.C.:

1. Heard Mr. Chavan, learned counsel appearing for the Petitioner and Smt. Nimbalkar, learned AGP for the Respondent Nos.1, 2 and 4.

2. The impugned orders in the present Writ Petition are the order dated 27th February 2023 passed by Assistant Registrar, Co-operative Societies Ambernath Taluka, Ambernath, the order dated 28th February 2023 passed by the District Deputy Registrar, Co-operative Societies, Thane and the order dated 13th September 2023 passed by the the Assistant Registrar, Co-operative Societies, Ambernath Taluka.

3. It is undisputed position that as far as the impugned order dated 27th February 2023 and the impugned order dated 28th February 2023 are concerned, the Revision bearing Revision Application No.91 of 2023 filed under Section 154 of the Maharashtra Co-operative Societies Act, 1960 (for short **“the MCS Act**) is pending before the Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai.

4. As far as the impugned order dated 13th September 2023 is concerned, Smt. Nimbalkar, learned AGP states that the Appeal is competent against the same under Section 152 of the MCS Act before the Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai.

5. As the Petitioner has got an alternate statutory remedy, interference of this Court under Article 227 of the Constitution of India is not warranted.

6. Accordingly, the Writ Petition is disposed of as the Petitioner has got an alternate statutory remedy.

7. It is clarified that this Court has not considered the merits of the matter and all the contentions on merits are expressly kept open.

[MADHAV J. JAMDAR, J.]