

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15781 OF 2023

Ambadas Narsingh Konda and Anr. ... Petitioners.

V/s.

The State of Maharashtra,
through the Chief Secretary,
Co.operation Department and Ors. ... Respondents.

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Mr. Pravin Sabban i/b Dr. Ramdas Sabban for the Petitioners.
Mr. B. V. Samant, Addl. G.P. a/w Mr. M. M. Pabale, AGP for the
State.

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

DATE : 21 December 2023.

P.C. :

The Petitioners are the members of Respondent No. 3- Co-operative Society. They have challenged the order dated 29 March 2023 deregistering Respondent No. 3- Co-operative Society. The learned AGP for the State points out that as against the said order, there is a substantive Appeal under the Maharashtra Co-operative Societies Act, 1960, is available. In fact, we are informed that the Respondent No. 3- the Co-operative Society itself has filed an Appeal.

2. The learned Counsel for the Petitioners seeks to contend that since there is a breach of principles of natural justice, the Writ Petition should be entertained. When one party in the same cause has availed of the statutory remedy with the same grounds, we see no reason why the Petitioners cannot themselves either join in the Appeal, or filed their own Appeal before the Appellate Authority. With these observations, the Writ Petition is disposed of.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)