

Arjun

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

WRIT PETITION NO.15588 OF 2023

Kalpana Shrinivasan Venkatesh & Anr. ...Petitioners

V/s.

Divisional Joint Registrar ...Respondents
C. S. M. D., At Mumbai & Ors.

**WITH
WRIT PETITION NO.15589 OF 2023**

Vinod Fakirchand Salve ...Petitioner

V/s.

Divisional Joint Registrar ...Respondents
C. S. M. D., At Mumbai & Ors.

**WITH
WRIT PETITION NO.15590 OF 2023**

Himraj Madhusudan Sawant & Ors. ...Petitioners

V/s.

Divisional Joint Registrar ...Respondents
C. S. M. D., At Mumbai & Ors.

Mr. Kishor Patil i/b Pratik B. Rahade, for the Petitioner(s) in all the Writ Petitions.

Mr. A. B. Chate, Addl. GP, for the Respondent-State in WP/15588/2023 & WP/15589/2023.

Mrs. V. S. Nimbalkar, AGP, for the Respondent-State in WP/15590/2023.

Mr. Saurav Katkar a/w Shantanu Raktate & Amar Parsekar, for Respondent No.4 in all the Writ Petitions.

CORAM : MADHAV J. JAMDAR, J.
DATED : DECEMBER 19, 2023

P.C.:

1. Heard Mr. Patil, learned Counsel appearing for the Petitioners, Mr. Katkar, learned Counsel appearing for Respondent No.4, Mrs. Nimbalkar, learned AGP and Mr. Chate, learned Additional GP, for the Respondent-State.

2. The impugned Order in the present Writ Petitions is the Order dated 18th January 2023 passed by the Divisional Joint Registrar, Co-operative Societies, Mumbai Division, Mumbai in Appeal No.236 of 2019, Appeal No.259 of 2019 and Appeal No.260 of 2019.

3. Mr. Patil, learned Counsel appearing for the Petitioners submitted that the same Order is impugned in the Revision Applications filed before the Hon'ble Minister of Co-operation. However, the said Revision Applications or Stay Applications filed in said Revision Applications have not been considered.

4. Learned AGP, on instructions, states that all these Revision Applications will be decided within a period of three months from today.

5. It is the contention of learned Counsel appearing for Respondent No.4 that the impugned Order is dated 18th January 2023 and the Writ Petitions have been filed on 13th December

2023. The Revision Applications before the Hon'ble Minister of Co-operation have been filed on 8th December 2023.

6. However, it is the contention of Mr. Patil, learned Counsel appearing for the Petitioners that the Petitioners came to know about the impugned Order on 28th November 2023. In any case, subject matter of the impugned Order dated 18th January 2023 is the inquiry report dated 4th May 2019 and status-quo was operating till 18th January 2023.

7. Accordingly, following Order is passed :

- (i) The Hon'ble Minister of Co-operation before whom the Revision Applications challenging the Order dated 18th January 2023 passed by the learned Divisional Joint Registrar, Co-operation Societies, Mumbai Division, Mumbai in Appeal No.236 of 2019, Appeal No.259 of 2019 and Appeal No.260 of 2019 are pending, is requested to dispose of the said Revision Applications on or before 31st March 2024.
- (ii) Till the disposal of the said Revision Applications, no co-coercive steps be taken.

8. The Writ Petition is disposed of in the above terms with no order as to costs.

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

[MADHAV J. JAMDAR, J.]