

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No.6464 of 2022

RAJIV ANANDRAO MOGHE AND OTHERS

VS

THE DIVISIONAL JOINT REGISTRAR COOPERATIVE SOCIETIES, AMRAVATI AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Firdos Mirza, Advocate for the Petitioners

Shri Dharmadhikari, AGP for the respondent Nos.1 and 2

Shri K.S. Narwade, Advocate for the respondent No.3

CORAM : ANIL S. KILOR, J.

DATED : 24.01.2023.

1. Heard.
2. Shri Mirza, learned counsel for the petitioners submits that, without going into the merit of the matter, if this Court directs the respondent No.1 -The Divisional Joint Registrar, Co-operative Societies, Amravati to decide the proceeding, namely Appeal No.44/2022 within three weeks, the petitioners will pursue the matter before the respondent No.1.
3. He further submits that till the disposal of the appeal, the order dated 18.10.2022, more particularly, the interim directions issued in paragraph No.6 of the said order, shall continue.
4. Shri Narwade, learned counsel for the respondent No.3 has no objection, as far as the decision on the appeal within three weeks, however, he has strongly objected to continue the interim order, as prayed for, on two counts; firstly, the said order was in

operation till the returnable date and it was not extended after the returnable date; and secondly, charge was taken much before the order dated 18.10.2022 was passed.

5. In the above referred backdrop, I am of the opinion that the present petition can be disposed of by directing the respondent No.1 to decide the appeal No.44/2022 within three weeks from the appearance of both the parties before the respondent No.1.

6. It is made clear that as the order dated 18.10.2022 was not continued after the returnable date, it stood automatically vacated and therefore, the prayer of the learned counsel for the petitioners to continue the same, cannot be accepted.

7. The parties are directed to remain present before the respondent No.1- The Divisional Joint Registrar, Co-operative Societies, Amravati on 31.01.2023.

8. The writ petition is **disposed of** in the above terms.

[ANIL S. KILOR, J.]