

Shabnoor

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

WRIT PETITION NO.2220 OF 2020

Digitally
Signed By
SHABNOOR
AMIT
PATHAN
2024.02.13
10:46:33
+0530

M/s. Sarvodaya Metal Tin Corporation
Through Proprietor ... Petitioner

V/s.

Highway Commercial Centre Premises
Co-op Society Ltd. & Ors ... Respondents

None for the Petitioner.

Mr. Rahul Kedar i/by Ms. Savita N. Malkampate, for
Respondent No.1 (Through V.C.)

Mrs. V. S. Nimbalkar, AGP, for State/Respondent Nos.3
& 4.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 12, 2024

PC.:

1. Though the challenge in the writ petition is to the order granting certificate under Section 101 of the Maharashtra Cooperative Societies Act, 1960.

2. On perusal of the record, it appears that the petitioners revision under Section 154 of the Maharashtra Cooperative Societies Act, 1960 has been rejected by the Revisional Authority by the order dated 9 January 2020 for non deposit of 50% of recoverable dues under Section 154 (2) (a) of the Maharashtra

Cooperative Societies Act, 1960.

3. Since deposit under Section 154 (2) (a) of the Maharashtra Cooperative Societies Act, 1960 for entertaining revision application challenging certificate under Section 101 of the Maharashtra Cooperative Societies Act, 1960 is mandatory, no fault can be found with the order of rejection of revision application by the Revisional Authority. Challenge to issuance of certificate under Section 101 of the Maharashtra Cooperative Societies Act, 1960 directly before this Court cannot be entertained in the absence of availing remedy under Section 154 of the Maharashtra Cooperative Societies Act, 1960. Hence, the writ petition is dismissed. No costs.

(AMIT BORKAR, J.)