



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 6625 OF 2024

IN

WRIT PETITION NO. 9242 OF 2023

Ramachal Samarth Yadav

.....Applicant

Vs.

Pawankumar Nandkishor Singh and anr

.....Respondents

Mr. Ashok Mishra for the applicant

Mr. Sairaj Dable a/w Mr. Sunil Dable for respondent nos. 3 and 4

Smt. M. S. Bane AGP for the State

CORAM : GAURI GODSE, J.

DATE : 12th APRIL 2024

P.C.

1. This application is filed by respondent no. 4 seeking clarification that interim relief granted in this petition is only to the execution and operation of the order dated 15th May 2023 which is impugned by the petitioner in the Revision Application No. 251 of 2023.

2. Learned counsel for the applicant submits that the revision

application is pending, however, in view of the interim stay granted by this Court, revision application is not taken up for hearing.

3. I have perused the papers. By order dated 5th September 2023, writ petition is admitted and interim relief is granted in terms of prayer clause (d). Prayer clause (d) reads as under:

“d. That pending hearing and final disposal of the Writ Petition this Hon’ble court be pleased to grant stay to the operation, execution and/or implementation of impugned order dated 15.05.2023 passed by the Respondent No. 2, Deputy Registrar, Cooperative Societies, Western Mumbai and 12.06.2023 passed Respondent No. 1 by Divisional Joint Registrar Cooperative Societies, Mumbai Division and for that purpose issue necessary orders”.

4. Thus, by way of interim order, only the implementation of the order impugned in the revision application is stayed and there is no stay granted to the further proceedings of the revision application.

5. Hence, interim application is allowed by clarifying that there is no stay to the further proceedings of the Revision Application No. 251 of

2023 pending before Divisional Joint Registrar, Cooperative Societies, Mumbai.

6. It is clarified that further proceedings and hearing of the Revision Application No. 251 of 2023 to go on and grant of interim relief in this petition cannot be a ground to keep the revision application pending.

7. Interim application is disposed of in above terms.

8. Needless to clarify that revision application to be heard on its own merits uninfluenced by the pendency of this petition and interim relief granted in the petition.

[GAURI GODSE, J.]