

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.402 OF 2023

Anil Godrej Bharucha

.. Applicant

Versus

Diego E. D'Souza (since deceased) through his
legal heirs Brian A. D'Souza and Ors.

.. Respondents

-
- Mr. S. R. Nargolkar a/w. Mr. Arjun Kadam, Advocate for Applicant.
-

CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 08, 2024

P.C.:

- 1.** Mentioned out of turn.
- 2.** Heard Mr. Nargolkar, learned Advocate for Applicant.
- 3.** After hearing Mr. Nargolkar on 02.01.2024 this Court passed certain directions.
- 4.** Mr. Nargolkar would submit that Application dated 15.06.2023 is filed below Section 23 read with Section 154-9 of the Maharashtra Co-operative Societies Act, 1960 (for short '**the said Act**') before the Deputy Registrar to challenge the order of refusal by the Society.
- 5.** In the present case considering that Application has been filed before the Deputy Registrar and the learned Executing Court has while passing order dated 10.01.2023 stated that the decree holder can always file the Application in that Court once the Society grants permission to the Applicant / original Plaintiff, in the interest of justice

the Deputy Registrar, Pune who is seized with the Application filed under Section 23 read with Section 154B-9 of the said Act on 15.06.2023 is directed by this Court to hear the said Application and dispose of the same after hearing the parties within a period of two months from today and pass a reasoned order thereon in accordance with law.

6. In view of the above, order dated 10.01.2023 is sustained and not disturbed.

7. With the above direction, Civil Revision Application is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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