

Shabnoor

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

WRIT PETITION NO.419 OF 2018

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Udayshankar Bansraj Mishra	... Petitioner
V/s.	
District Deputy Registrar – 4 & Ors	... Respondents

Mr. Vishnudutt Mishra i/by Mr. Sanjeet Shukla, for
Petitioner.

Mr. J. S. Suryavanshi, for Respondent No.3.

Mr. P. V. Nelson Ranjan, AGP for State/Respondent
Nos.1 & 2.

CORAM : AMIT BORKAR, J.

DATED : APRIL 1, 2024

P.C.:

1. The petitioner is challenging an order passed by the Revisional Authority rejecting petitioner's Revision Application for non-compliance of Section 154(2A) of the Maharashtra Cooperative Societies Act, 1960 ('**M.C.S. Act**').

2. The Deputy Registrar of the Cooperative Societies, by the order dated 1 November 2010, issued certificate under Section 101 of **M.C.S. Act** in favour of respondent No.3 / Society. On 31 March 2011, the petitioner challenged the certificate under Section 101 of **M.C.S. Act** by filing Revision Application. The Revisional Authority, by the impugned order rejected the Revision Application

on the ground of non-compliance of Section 154 (2A) of **M.C.S. Act**.

3. Learned Advocate for the petitioner states that the total amount of Rs.41,000/- along with interest lying in the saving account of the petitioner was deposited with the respondent No.3 / Society which can be utilized towards deposit under Section 154(2A) of **M.C.S. Act**. This issue will have to consider by the Revisional Authority. The Revisional Authority shall consider whether the amount lying with respondent No.3 / Society is more than requirement under Section 154(2A) of **M.C.S. Act** and, if the Revisional Authority comes to the conclusion that more amount is required to be deposited with respondent No.3 / Society, the Revisional Authority shall grant two weeks time to the petitioner to comply with Section 154(2A) of **M.C.S. Act**.

4. Moreover, if there is delay in filing the Revision Application, the petitioner to permit to file an application for condonation of delay for filing of Revision Application and on such application being filed by the petitioner, the Revisional Authority shall decide the application for condonation of delay of filing of Revision Application on its own merits.

5. With this clarification, the writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)