

Shabnoor

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

WRIT PETITION NO.10153 OF 2023

SHABNOOR
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Pratibha Sanjay Phulpagar ... Petitioner

V/s.

The State of Maharashtra

Through Deputy Registrar & Ors ... Respondents

Mr. Rakesh Bhatkar, for Petitioner.

Mrs. V. S. Nimbalkar, AGP for State/Respondent No.1.

Mr. Yatin Malvankar, for Respondent No.2

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 21, 2024

P.C.:

1. The order impugned in the present writ petition is passed in exercise of power conferred under sub-Rule (11) of Section 107 of the Maharashtra Cooperative Societies Rule, 1961. Since the order passed, the Special Recovery Officer appointed under Section 156 of the Maharashtra Cooperative Societies Act, 1960, such officer has status of Registrar and, therefore, the remedy of petitioner is to challenge the order passed by the Special Recovery Officer before the Divisional Joint Registrar in exercise of power under Section 154 of the Maharashtra Cooperative Societies Act, 1960.

2. Therefore, keeping open questions raised in the writ petition to be agitated before the Revisional Court, the writ petition stands disposed of. No costs.
3. Period spent in prosecuting the present writ petition shall be excluded while considering the revision application.

(AMIT BORKAR, J.)