

AGK

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

WRIT PETITION NO.2242 OF 2024

Jagannath Bhauso Zanzurne & Ors. ... Petitioners

V/s.

The State of Maharashtra, through
its Secretary, Cooperation Dept.
& Ors.

... Respondents

Mr. Kirankumar Phakade for the petitioner.

Mr. R.S. Pawar, AGP for respondent Nos.1 to 3/State.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 21, 2024

PC.:

1. According to the petitioners who are members of the society in relation to which Liquidator is appointed, the order impugned travels beyond the scope of the Revision Application. According to the petitioners, respondent No.4 had applied before the Registrar seeking permission to institute proceedings against the Liquidator. On rejection of such proceeding, respondent No.4 challenged the order before the Revisional Authority. The Revisional Authority, by the impugned order, instead of granting or rejecting permission, has granted relief under Section 105(c) of the Maharashtra Cooperative Societies Act, 1960. It is prima facie beyond the purview of Revision.

2. Hence, issue notice to respondent Nos. 4 and 5, returnable on **3 April 2024**.
3. Mr. Pawar, learned AGP waives service for *respondent Nos.1 to 3/State*.
4. Till 3 April 2024, there shall be ad-interim relief in terms of prayer clause (c).

(AMIT BORKAR, J.)

Note: This order is corrected as per order dated 28 February 2024. Corrections in paragraph 3 are shown in italicize.