

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

WRIT PETITION NO. 10366 OF 2024

**VASANT
ANANDRAO
IDHOL**

Minoo Fitter

...Petitioner

Versus

State Of Maharashtra Through

Govt Pleader And Ors.

...Respondents

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by VASANT
ANANDRAO
IDHOL

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Ms.Jennifer Michael with Som Sinha i/b Som Sinha & Associates for
the Petitioner.

Mr.Shahaji Shinde "A" Panel Counsel with Mr.S.L. Babar, AGP for the
Respondent – State.

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**CORAM : AVINASH G. GHAROTE, J.
DATE : 2nd AUGUST, 2024**

P.C.:

1. Heard Ms.Jennifer Michael, the learned counsel for the petitioner. The petition questions the order dated 24.04.2024 (page 18) by which delay of 246 days occasioned in filing the revision under Section 154 of the Maharashtra Co-operative Societies Act (MCS Act) has been rejected. The learned counsel relies upon the judgment of the the Hon'ble Apex Court in the case of *Esha Bhattacharjee vs. Managing Committee of Raghunathpur Nafar Academy & Ors.* reported in *2013 (12) SCC*

649, to contend that the approach of the Authorities while considering the question of delay has to be liberal, as the matters are required to be decided on merits and not on default, considering, which issue notice for final disposal, returnable on 30.08.2024. The learned AGP Nos.1 to 3. The petitioner shall serve the other respondents by all modes permissible in law.

(AVINASH G. GHAROTE, J.)