

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

WRIT PETITION NO.11385 OF 2024

Subhash Bhimaji Said .. Petitioner

Vs.

The State of Maharashtra,
Through Co-operative Commissioner and
Registrar, Co-operative Societies and Anr. .. Respondents

Mr. Narayan G. Rokade, Advocate for the Petitioner.

Mr. N.K. Rajpurohit, Assistant Government Pleader for Respondent No.1.

Mr. Manoj A. Patil with Ms. Kalyani Mangave and Mr. Akash Murudkar,
Advocates for Respondent No.2.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 21ST AUGUST, 2024.

PC. :

1. In the present writ petition the petitioner seeks a direction to be issued to the Commissioner of Co-operation to decide a review application that was preferred seeking review of an order dated 20th March 2024. This order came to be passed pursuant to the directions issued in Writ Petition No.676 of 2024 on 17th January 2024 (*Avinash Vitthal Kokane and Ors. Vs. Sant Dnyaneshwar Nagari Sahakari Patsanstha Maryadit and Ors.*).

2. On a query made as regards the provision under which such review application has been filed, the learned counsel for the petitioner refers to Section 150 of the Maharashtra Co-operative Societies Act, 1960. However, under the said provision, it is limited only the review of an order passed by the Co-operative Appellate Court and not any order passed by an authority under the Act.

3. In view of the aforesaid, the learned counsel for the petitioner, on instructions, seeks leave to withdraw the writ petition with liberty to challenge the order dated 20th March 2024 passed by the Commissioner of Co-operation by availing appropriate remedy.

4. Accordingly, the writ petition is permitted to be withdrawn with aforesaid liberty. The time spent in prosecuting the present writ petition from 2nd August 2024 till today shall be taken into consideration while determining the period of limitation. All points raised on merits are kept open.

5. The writ petition is disposed of.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]