



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition (WP) No. 4113 of 2024

Shri Sunil S/o Haribhau Idhol and others

Versus

Sunita S/o Ashok Tathod and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.V.Sohoni, Advocate for the petitioners.

Ms. Seema Dhotre, Advocate for the respondent nos. 1
to 3.

Shri Sachin Narale, AGP for the respondent nos. 4 & 5.

CORAM : N.R.BORKAR, J.

DATED : 12th AUGUST, 2024.

This petition takes exception to the order dated 25th April, 2024 passed by the respondent no.6 Registrar General of Money Lending Cum Additional Commissioner and Special Registrar, Co-operative Societies, Maharashtra State, Pune in Revision Application No. 4 of 2017.

2. By the order impugned, respondent no.6 has dismissed the revision application which was filed by the present petitioners against the order of respondent

No.5-Assistant Registrar, Co-operative Societies, Tah. Belapur, District Akola by which the application filed by the petitioners to dismiss the proceedings filed by respondent nos. 1 to 3 herein under the provisions of the Maharashtra Prevention of Money Lending (Regulation) Act, 2014 before respondent no.5-Assistant Registrar, Co-operative Societies, Tah. Balapur, Dist. Akola, was rejected.

3. I have heard learned counsel for the petitioners, learned counsel for respondent nos. 1 to 3 and learned Assistant Government Pleader for respondent nos. 5 and 6/State.

4. Learned counsel for the petitioners submits that the application for dismissal of the proceedings in question was filed as similar proceedings were earlier dismissed. In the alternative it is submitted that the matter needs to be remanded back to the respondent no.5 for deciding the application filed by the present petitioners afresh as respondent no.5 has not recorded the reasons for rejecting the application.

5. On the other hand learned counsel for the respondent nos. 1 to 3 and learned Assistant Government Pleader for the respondent nos. 5 and 6 submit that the sale-deed in question was never the subject matter of any of the earlier proceedings.

6. Admittedly, the main proceedings are still pending before the respondent no.5. The respondent no.6 has recorded the reasons for not accepting the contentions of the present petitioners. I am therefore not inclined to interfere with the impugned order. However, it would be open to the petitioners to raise all the contentions before the respondent no.5. The petition is dismissed.

[N.R.BORKAR, J.]