



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

WRIT PETITION NO.7712 OF 2023

MALLIKARJUN POLTRIFARM, PRO. SANTOSH CHANDRASHEKHAR KASHETTIWAR,
YAVATMAL

VS

THE DIVISIONAL JOINT REGISTRAR, COOPERATIVE SOCIETIES, AMRAVATI DIVISION,
AMRAVATI AND ORS

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

Court's or Judge's Order

Shri K.S. Narwade, Advocate for the Petitioner/s

Shri V.S. Giramkar, Advocate for the respondent No.3

CORAM : ANIL S. KILOR, J.

DATE : 17.04.2024

1. Heard.

2. The question involved in this writ petition is, whether the Divisional Joint Registrar is right in not entertaining the revision application filed under Section 154 of the Maharashtra Co-operative Societies Act, 1960 (for short "the Act of 1960") for the reason that, the petitioner has not deposited 50 % of certificate amount under Section 154 (2A) of the Act of 1960.

3. This question is no more *res-integra* in view of the judgment in the case of *Barindra Overseas Private Ltd. Anr. Vs. Shilpa Shares and Securities & Ors.*¹, wherein it has held that, the purpose and object of the provisions of sub section (2A) of [Section 154](#) of the Act of 1960 would be frustrated if a person against whom a recovery certificate is issued, is permitted to file a

revision against the auction proceedings without making the mandatory deposit.

4. In that view of the matter, since in the present matter, the Divisional Joint Registrar has refused to entertain the revision application for not depositing 50 % of certificate amount under Section 154 (2A) of the Act of 1960, I do not find any error committed by the Divisional Joint Register.

Accordingly, the writ petition is **disposed of**.

[ANIL S. KILOR, J.]