



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 WRIT PETITION NO. 9669 OF 2023

GANESH UDDHAVRAO VAIDYA

VERSUS

THE DIVISIONAL JOINT REGISTRAR AND OTHERS

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Mr. D.A. Bide h/f. Mr. Layak S. Shaikh – Advocate for Petitioner
Mr. V.S. Badakh – AGP for Respondent Nos.1 and 2, State
Ms. Priyanka A. Deshpande h/f. J.P. Legal Associates – Advocate for
Respondent Nos.3 and 4

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 19.12.2025

PER COURT :

1. Heard learned Counsel for the respective sides.
2. By way of this petition, the petitioner challenges the order dated 21.12.2022 passed in Revision Application No.60 of 2022 by the office of the learned Divisional Joint Registrar, Co-operative Societies, Aurangabad, whereby the revision application filed by the petitioner came to be dismissed.
3. Learned Counsel for the petitioner submits that on the date when the matter was closed for orders, the petitioner was not heard and the learned authority decided the matter without granting an opportunity of hearing. He further submits that the revision application was dismissed

on the ground that the petitioner failed to deposit 50% of the amount, which is a prerequisite for entertaining the revision. It is submitted that the petitioner is now ready and willing to deposit the said 50% amount and therefore, prays for remand of the matter.

4. *Per contra*, learned Counsel for the respondent Nos.3 and 4 submits that earlier several opportunities were granted to the petitioner, however, neither the matter was argued nor the requisite 50% amount was deposited. Therefore, she submits that the petition deserves to be dismissed.

5. Having heard learned Counsel for both sides, it is evident that the revision application came to be dismissed on two grounds; first– on non–deposit of 50% of the amount and second– that the petitioner was not heard when the matter was decided. It is an admitted position that the petitioner was not afforded an opportunity of hearing. Therefore, with a view to grant one more opportunity to the petitioner, in the interest of justice and in view of principle of natural justice, I am inclined to set aside the order under challenge and remand the matter to the learned Divisional Joint Registrar, subject to the condition that the petitioner shall deposit 50% of the amount.

6. In view thereof, the Writ Petition is allowed. The order dated 21.12.2022 passed in Revision Application No.60 of 2022 is quashed and

set aside and the matter is remanded to the learned Divisional Joint Registrar, Co-operative Societies, Aurangabad, for fresh consideration only upon deposit of 50% of the amount by the petitioner.

7. The petitioner undertakes to deposit the said 50% amount within a period of six (6) weeks from today.

8. It is made clear that in the event of failure on the part of the petitioner to deposit the said amount within a stipulated period, the order stands as it is.

[SIDDHESHWAR S. THOMBRE]
JUDGE

Pooja Kale/