



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

16 WRIT PETITION NO. 8117 OF 2025

Ravikumar Venkatrao Nandagavali And Others

VERSUS

The Branch Manager Maharashtra Nagari Cooperative Bank
Ltd., And Another

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Advocate for Petitioners : Mr. N D Kendre

AGP for Respondents : Mr. K B Jadhavar

CORAM : S. G. CHAPALGAONKAR, J.

Dated : July 10, 2025

PER COURT :-

1. Present writ petition is filed with following prayer :-

“B. The order/recovery certificate granted by the respondent no.2/Deputy Registrar, Co-operative Society (Parseva), Aurangabad dated 12.3.2021 in Matter No. Section 101/765/2020-21 and the order passed by the Divisional Joint Registrar, Co-operative Society, Latur dated 29.5.2025 in Revision Petition No.55 of 2024 may kindly be quashed and set aside by issuing appropriate writ, order or direction in the like nature.”

2. Mr. Kendre, learned advocate appearing for petitioners submits that petitioners have filed revision application before the Divisional Joint Registrar, Co-operative Societies at Latur against order issuing recovery certificate in favour of the Respondent bank. Revision application was filed alongwith application for delay condonation. Interim stay was granted

vide order dated 20.8.2024, however, lateron, it has been vacated by impugned order dated 29.5.2025. Mr. Kendre, submits that, once Revisional Authority had entertained revision application and granted interim relief, it should have been continued till disposal of revision application and there was no reason to vacate the same.

3. Perusal of impugned order shows that petitioners filed revision application under section 154 of the Maharashtra Co-operative Societies Act. However, amount was not deposited at the time of filing of revision application. It is evident that since revision application was filed alongwith application seeking condonation of delay. Before registration of revision, the stay was granted to the recovery certificate. However, when learned Registrar condoned delay and directed registration of revision application, provisions of sub-section 2A of Section 154 of the Act comes into play, which states as under :-

“2A-[No application for revision shall be entertained against the recovery certificate issued by the Registrar under section 101 [or Section 154B-29] [or certificate issued by the Liquidator under section 105] unless the applicant deposits with the concerned society, fifty per cent, amount of the total amount of recoverable dues:

[Provided that, in case of such revision where revisional authority has granted a stay to the

recovery of dues, the authority shall as far as may be practicable, dispose of such revision application as expeditiously as possible but not later than six months from the date of the first order.”

4. It is not disputed before this Court that petitioners have not deposited 50% of the amount recoverable under the impugned recovery certificate. The learned Divisional Joint Registrar observed that for want of the aforesaid compliance, the revision application can not be entertained and directed de-registration and eventually disposed of revision application so also vacated the interim relief.

5. Looking to the scheme of section 154 of the Maharashtra Co-operative Societies Act and specific rider incorporated under clause 2-A of section 154 of the Act, revision application cannot be entertained in absence of deposit of amount. In that view of the matter, no fault or jurisdictional error can be found in the impugned order. In the result, writ petition stands **rejected.**

(S. G. CHAPALGAONKAR, J.)

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