

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9666 OF 2023

Sherkhan Amirkhan Pathan And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

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Advocate for the Petitioner : Mr. Avinash N. Irpatgire

AGP for Respondent/State : Mr. S.G. Joshi

Advocate for Respondent No.4 : Mr. M.R. Sonawane

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATED : DECEMBER 04, 2025

PER COURT :

1. Heard the respective counsels.
2. Present petition is arising out of orders dated 07.07.2023 passed by the respondent no.2/Deputy Registrar, Co-operative Societies (Fishery) in Revision No.01 of 2023 and order dated 07.11.2022 passed by respondent no.3/Assistant Registrar, Co-operative Societies (Dairy), Latur in Appeal/Application No.01 of 2022. As, the proceeding was instituted under Section 22(2) of the Maharashtra Co-operative Societies Act, the respondent no.2 entertained the revision filed by respondent no.4.
3. Mr. Irpatgire, learned counsel for the petitioner relied upon the judgment of this Court in the matter of *Bajarang Labour Co-operative Society, Mahagaon (Z) Vs. Divisional Joint Registrar of Co-operative Societies, Nagpur* reported in *2016 (2) Mh.L.J. 849* and in the matter of Dhanwantari Sahakari Gruh-Nirman Sanstha Maryadit

Vs. The Assistant Registrar, Cooperative Societies, Latur and Another in Writ Petition No.3148 of 2023 decided on 19.07.2024 and submits that the revision before respondent no.2 itself was not maintainable.

4. Therefore, on this ground alone, the petition is partly allowed. The order dated 07.07.2023 passed by the respondent no.2/Deputy Registrar, Co-operative Societies (Fishery) in Revision No.01 of 2023 is hereby quashed and set aside.

5. However, respondent no.4 is at liberty to challenge the order passed by respondent no.3 before the revisional authority - The State Government.

6. If respondent no.4 files a revision, the authority shall consider the time spent while prosecuting the proceedings before respondent no.2/Deputy Registrar as well as before this Court while considering the application for condonation of delay.

7. In view of the above, the petition is disposed of. All points kept open.

(SIDDHESHWAR S. THOMBRE, J.)