



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 WRIT PETITION NO. 607 OF 2024

SUBHASH KARBHARI NIRMAL

VERSUS

THE STATE OF MAHARASHTRA THROUGH MINISTER COOPERATION AND
OTHERS

...

Mr. K. J. Suryawanshi, Advocate for the Petitioner

Mr. A. N. Irpatgire, Advocate for Respondent No. 6

CORAM : R. M. JOSHI, J.

DATE : 24th SEPTEMBER, 2025

P.C. :-

1. This Petition takes exception to the order dated 19/01/2023 passed by the Hon'ble Minister Cooperation in Appeal No. 390 of 2021, whereby the impugned order came to be set aside only on the ground that in Revision Application No. 391 of 2021, the report of inquiry under Section 83 of the Act is set aside.

2. This Court in Writ Petition No. 589/2024 has held that the Hon'ble Minister had no jurisdiction to entertain the challenge to the said report involving powers under Section 154 of the Act. Consequently, the order passed by the Minister cannot be set aside.

3. In view of this fact, the order passed by the Hon'ble Minister impugned in this petition cannot sustain, the same is set aside.

4. Since the Appeal has not been decided on any other ground, but for passing of the earlier order by the Hon'ble Minister, which has now been set aside by this Court, only course available for by this Court is to relegate the Appeal back to the Hon'ble Minister for decision afresh. Accordingly, Appeal is relegated back to the Hon'ble Minister for its decision afresh.

5. All the issues are kept specifically open to be raised before the Hon'ble Minister.

6. Petition is disposed of in above terms.

(R. M. JOSHI, J.)

ssp