

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3602 OF 2025

Rushiraj Vijaysinha Naik
Nimbalkar & Anr.

... Petitioners

V/s.

The State of Maharashtra & Ors.

... Respondents

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Mr. Dipak Shinde for the petitioner.

Mr. P.V. Nelson Rajan, AGP for respondent Nos.1 & 2-
State.

CORAM : AMIT BORKAR, J.

DATED : MARCH 10, 2025

P.C.:

1. Challenge in this writ petition is to an order passed by the Divisional Joint Registrar rejecting petitioners' revision application under Section 154 of the Maharashtra Cooperative Societies Act, 1960 ("MCS Act") for non-compliance with Section 154(2A) of the MCS Act.

2. Undisputedly, the petitioners have not deposited any amount after issuance of certificate under Section 101. What is required to be deposited under Section 154(2A) is 50% of the recoverable dues. The contention raised on behalf of the petitioners is that they have not received the loan and the amount of Rs.2 crore has been deposited before issuance of certificate. This contention cannot be

considered by the revisional authority unless the petitioners comply with Section 154(2A) of the MCS Act. Hence, no interference in the impugned order is called for.

3. The writ petition accordingly stands dismissed. No costs.
4. However, it shall be open for the petitioners to move revision application after complying with Section 154(2A) of the MCS Act.

(AMIT BORKAR, J.)