



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8734 OF 2023

Annaso Dattu Chougale

...Petitioner

Versus

Gahininath Nagri Sahkari Pat Sanstha Ltd. & Ors.

...Respondents

Mr. Prashant P. Kulkarni a/w Ms. Rachna Mamnani for the Petitioner.

Mr. Anand S. Patil for Respondent Nos.1 & 2.

Mr. A. I. Patel, Addl. G. P. and Mr. P. G. Sawant, AGP for Respondent No.3 & 4-State.

CORAM : Jitendra Jain, J.

DATED : 19 June 2025

PC.:-

1. Mr. Patil for Respondent Nos.1 and 2 submits that the Petitioner has not deposited 50% of the recoverable amount.

2. Mr. Kulkarni for the Petitioner brings to the notice of the Court order dated 5 July 2024, wherein the Co-ordinate Bench had directed the Petitioner to deposit 50% of the amount of recovery certificate. The Petitioner has deposited 50% of the amount specified in the recovery certificate on 11 July 2024. There is no challenge to order dated 5 July 2024 passed by the Co-ordinate Bench of this Court. Therefore, the objections raised by the learned counsel for Respondent Nos.1 and 2 is rejected.

3. The present petition challenges order of the Revisional Authority dated 13 April 2023, whereby the revision petition was dismissed for non-deposit of 50% of the due. Now that the Petitioner has deposited the same, the impugned order dated 13 April 2023 Exhibit-D is quashed and set aside and the revision application is

restored back to the file of Respondent No.4. Respondent No.4 to decide the revision application of the Petitioner after complying with the principles of natural justice.

4. Respondent No.4 to give notice to all the parties and hear all the parties before deciding the revision application. Respondent No.4 is directed to decide the revision application as early as possible.

5. The Petition is disposed of in above terms with no order as to costs.

(Jitendra Jain, J.)