

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12871 OF 2024.

Bhagwan Tamanna Chougule ...Petitioner
Vs
State Of Maharashtra Throu. Its Principal Sec.
Co-Op Marketing And Textile Dept And Ors. ...Respondents

Mr. Gurubala Birajdar for the Petitioner.
Mr. J. P. Patil, AGP for the Respondent Nos.1 to 3-State
Mr. Prasad P. Kulkarni for Respondent Nos.4 and 5.

CORAM : M. S. KARNIK, J.

DATE : 21st JANUARY, 2025.

P. C. :

1. Heard.
2. The order impugned in this petition is dated 6/7/2023 passed by the Registrar General, Money Lending holding that he has no jurisdiction to entertain the Revision under Section 9 of the Maharashtra Money Lending Act, 2014.
3. In my opinion the present petition can be disposed of in view of decision of this Court in *Vishwanath Marotrao Ganjre vs. Divisional Joint Registrar Co-operative Society, Amravati and Ors.*,

Writ Petition No.5362/2017. In paragraph Nos. 7 and 8 it is observed as under:

“7. The phraseology of Section 9 of the Act would indicate that the intention of the legislature is to make available the revisional remedy as a matter of right. The use of expression “suo-motu” and “on an application” would indicate the legislative intent.

8. Considering the facts of the case, the revisional remedy is an alternate and equally efficacious remedy. No case is made out for this Court to exercise writ jurisdiction”

4. Learned counsel for the petitioner has also placed on record order dated 12/9/2024 of this Court in ***Review Application (Civil) No.196 of 2024 in Writ Petition No.14387/2019, Murlidhar Ganpati Kekan vs. The State of Maharashtra and Ors.*** where this Court held that against the judgment in appeal under Section 18(1)(2) against the order of the Divisional Joint Registrar, the revision lies.

5. In this view of the matter, the impugned order dated 6/7/2023 is set aside. The Registrar General to hear the Revision Application on merits.

6. It is open for learned counsel for respondent Nos. 4 and 5 to place the order dated 22/2/2023 passed by this Court in Writ Petition No.15622/2023 before the Registrar General. The effect of the order dated 22/2/2023 in Writ Petition No.15622/2023 be considered while hearing the Revision Application.
7. Needless to mention that civil proceedings which are filed may proceed in accordance with law.
8. All contentions of the parties are kept open.

[M. S. KARNIK, J.]