

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.19213 OF 2024

Dilip s/o. Changdev Khare since
deceased through LRs.
1-A Mandakini w/o. Dilip Khare and
Ors.

...Petitioners

V/s.

The Commissioner for Cooperation,
Registrar of Co-operative Societies
and Money Lending, Maharashtra
State, Pune.

...Respondents

Mr. Ganesh J. Kore (through VC) with Mr. Abhishek Nagode for
the Petitioners.

Ms. A.A. Nadkarni, AGP for Respondent-State.

CORAM : SANDEEP V. MARNE, J.

Dated : 3 February 2025.

P.C. :

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1) The challenge in the present Petition is to the order dated 10 May 2024 passed by the Registrar General, Money Lending, holding that revision is not maintainable against order passed by the Divisional Joint Registrar under the provisions of Maharashtra Money Lending (Regulation) Act, 2014. While holding so the Registrar General relied upon order dated 24 April 2024 passed by the learned Single Judge of this Court.

However, the learned counsel appearing for the Petitioners would invite my attention to subsequent order dated 12 September 2024 passed by the same learned Single Judge in Review Application (Civil) No.196 of 2024 recalling the order dated 24 April 2024 passed in Writ Petition No.14387 of 2019. While doing so this Court relied upon the view expressed by another Single Judge of this Court at Nagpur Bench in ***Vishwanath Marotrao Ganjre vs. Divisional Joint Registrar Co-operative Society, Amravati and others***¹ holding that the intention of the legislature was to make available a remedy against the order passed by the Divisional Joint Registrar.

2) In view of the fact that order dated 24 April 2024 passed in Writ Petition No.14387 of 2019 is recalled, in my view the Registrar General, Money Lending will have to decide the revision filed by Petitioners on merits. Accordingly, the order dated 10 May 2024 passed by the Registrar General, Money Lending is set aside and Revision No.3 of 2022 is restored on its file. Revision shall be decided by the Registrar General, Money Lending, Maharashtra State, Pune, on its own merits without being influenced by any of the observations made in the order.

3) With the above observations, the Writ Petition is disposed of.

[SANDEEP V. MARNE, J.]

¹ Writ Petition No.5362 of 2017 decided on 28 August 2018