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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 829 OF 2025

Ramsevak Budhai Chaurasia & Anr. .. Petitioners

Versus

The State of Maharashtra & Ors. .. Respondents

Mr. R. Sathyanarayanan Iyer for petitioners.
Mr. O. A. Chandurkar, Addl. Govt. Pleader with Mrs. G. R. Raghuwanshi, AGP for respondent nos.1 and 3- State.

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**CORAM: ALOK ARADHE, CJ. &
 BHARATI DANGRE, J.**

DATE: 23rd JANUARY, 2025

P.C.:

1. In this petition, the petitioner has questioned the order dated 28th October, 2024 passed by the Assistant Registrar of the Co-operative Societies by which the petitioners have been directed to pay a sum of Rs.5,84,659/- along with interest to respondent no.2.

2. Learned counsel for the respondents submits that even though the petitioners have an alternate remedy under the Maharashtra Cooperatives Societies Act, 1960, yet the petitioners have approached the Court as the impugned order has been passed in flagrant violation of principles of natural justice, in as much as no opportunity of personal hearing has not been afforded to the petitioners.

3. Ordinarily, we would have relegated the petitioners to the alternate remedy, however, since the impugned order has

been passed in violation of principles of natural justice and view of the law laid down by the Supreme Court in **Whirlpool Corporation vs. Registrar of Trade Marks, Mumbai & Ors.** (1998) 8 SCC 1, we are inclined to issue notice to the respondents

4. Issue notice to the respondents.
5. Learned Additional Government Pleader waives notice on behalf of respondent nos. 1 and 3.
6. Learned counsel for the petitioners undertakes to serve the respondent no.2 personally on or before the next date.
7. As prayed, list the matter on **Monday, 27th January, 2025.**

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)