

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9756 OF 2024
WITH
WRIT PETITION NO.9622 OF 2024

Bhor Sanmitra Sahakari Patsanstha
Maryadit & Anr. ... Petitioners
V/s.
Divisional Joint Registrar of
Coop. Societies & Ors. ... Respondents

Mr. S.S. Panchpor for the petitioners.

Mr. J.P. Patil, AGP for respondent Nos.1 and 2-State in
WP/9622/2024.

Mrs. M.S. Srivastava, AGP for respondent Nos.1 & 2-
State in WP/9756/2024.

Mr. S.S. Patwardhan i/by Mr. Vaibhav R. Gaikwad for
respondent No.3.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 3, 2025

P.C.:

1. These writ petitions arise from the order passed by the Revisional Authority entertaining the revision preferred by the respondents against the decision of fixing offset price. The principal objection raised before the Revisional Authority was that the mandatory deposit required under Section 154(2A) of the Maharashtra Cooperative Societies Act, 1960 had not been made. It was urged that in absence of such deposit, the revision was not maintainable. Despite this objection, the Revisional Authority

entertained the revision and allowed it. Aggrieved thereby, the society has filed the present writ petitions.

2. Learned Advocate appearing for respondent No.3 has placed on record an affidavit stating that respondent No.3 shall deposit the amount as required under Section 154(2A) of the Maharashtra Cooperative Societies Act, 1960. It is further stated that thereafter the revision may be heard and decided on merits. The said affidavit is taken on record and is marked 'X' for identification.

3. In view of the statement made in the affidavit, the impugned order dated 27 September 2023 passed by the Revisional Authority in Revision Application No.130 of 2023 cannot be sustained and is accordingly quashed and set aside.

4. Revision Application No.60 of 2023 is restored to the file of the Revisional Authority for fresh consideration.

5. Upon being satisfied that the requirement under Section 154(2A) of the Maharashtra Cooperative Societies Act, 1960 has been duly complied with, the Revisional Authority shall proceed to decide Revision Application No.60 of 2023 on its own merits and in accordance with law.

6. Both writ petitions are disposed of in the above terms. There shall be no order as to costs.

(AMIT BORKAR, J.)