

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12033 OF 2024
AND
WRIT PETITION NO.12034 OF 2024

Bhanudas Shankar Arote ... Petitioner
V/s.
The Commissioner, Cooperation &
Registrar, Coop. Societies & Ors. ... Respondents

Mr. Prashant P. Kulkarni with Ms. Ritika Rajeev for the
petitioner.

Smt. J.P. Gavhane, AGP with Mr. R.S. Pawar, AGP for
respondent Nos.1 and 6-State.

Dr. D.R. Talekar for respondent No.1.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 23, 2025

P.C.:

1. These writ petitions arise from the exercise of appellate powers by the State Government under Section 152 of the Maharashtra Cooperative Societies Act, 1960. The challenge is directed against a report submitted under Section 83 of the said Act and the consequential order appointing an Authorised Officer under Section 88.

2. A plain reading of Section 152 makes it clear that neither a report under Section 83 nor an order appointing an Authorised Officer under Section 88 is appealable. In that view of the matter, the assumption of appellate jurisdiction by the State Government

was unwarranted. The exercise of such power was wholly unnecessary and stood vitiated as it was undertaken in proceedings which were incompetent in law.

3. The petitioner is, therefore, left free to avail such remedies as are permissible under law to question the report under Section 83 and the order appointing the Authorised Officer under Section 88, in appropriate proceedings before the competent forum.

4. In the above terms, both the writ petitions stand disposed of. There shall be no order as to costs.

(AMIT BORKAR, J.)