

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

CIVIL WRIT PETITION NO. 4983 OF 2025

Shri Anand Co Op. Bank Ltd.

..Petitioner

Versus

The Divisional Joint Registrar

Co-op. Soc. Pune & Ors.

..Respondents

**WITH
CIVIL WRIT PETITION (ST) NO. 9889 OF 2025
WITH
CIVIL WRIT PETITION NO. 4984 OF 2025**

Mr. Aadesh M. Patil for Petitioner.

Ms. Aloka A. Nadkarni, AGP for State/ Respondent Nos.1 & 2 in WP/4983/25.

Ms. Savita Prabhune, AGP for State/ Respondent in WP/4984/25.

Mr. Bharat Thorat i/b. Sandesh Daptare for Respondent No.3.

**CORAM : AMIT BORKAR, J.
DATE : 07 NOVEMBER 2025**

PC :

1. In this petition, the bank challenges the order of the Revisional Authority. The Revisional Authority dismissed the revision applications only because the petitioners were not present on the date of hearing. The record shows that the issues raised in the revisions relate to rights and liabilities under the Act. Such issues affect the parties in a substantial manner. When an order affects the legal rights of parties, the Authority must give them a

fair chance to explain their case. A revision cannot be dismissed mechanically for absence, unless the Authority confirms that the party was given due notice and still chose to abandon the proceedings. The impugned order does not show any such consideration.

2. When the matter involves legal consequences and affects substantive rights, the Authority must apply the basic rule of natural justice. Natural justice requires that no party should suffer without being heard. If the revision applications were dismissed without hearing the petitioners, it amounts to denial of opportunity. The Revisional Authority should have adjourned the matter, recorded the reasons, or issued directions to ensure the presence of the necessary parties. The law expects that justice must be done in substance, not in form. Hence, in such cases, dismissal on the ground of absence alone is not correct.

3. Therefore, the orders dated 8 April 2024 passed by the Revisional Authority in the three revision applications cannot be sustained. These orders are quashed. Setting aside the orders becomes necessary to ensure that both sides get a fair opportunity to place their case before the competent authority.

4. All three revision applications, namely Revision Application No.107 of 2020, No.108 of 2020, and No.109 of 2020 are restored to the file of the Divisional Joint Registrar. The Divisional Joint Registrar shall issue notices to both sides. Both

parties shall be given full opportunity to place their documents, make submissions, and address arguments. The authority shall decide the revision applications on their merits. The decision must be reasoned so that both sides understand the basis of the conclusion.

5. The Revisional Authority shall decide the revision applications at the earliest. Delay in such matters causes uncertainty and affects the functioning of the concerned parties. Hence, the authority shall proceed without unnecessary adjournments and dispose of the matter expeditiously.

6. All the petitions are disposed of.

(AMIT BORKAR, J.)