

Shabnoor

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.13560 OF 2025

Ekata Mastysa Vayvsai Sahakari
Cooperative Society Ltd.

... Petitioner

V/s.

State of Maharashtra & Anr.

... Respondents

Mr. Satish Talekar a/w Madhavi Ayyapan, Savi Lodam,
Vidyasagar Bhawe, for Petitioner.

Ms. Sulbha Chipade, AGP, for State – Respondent Nos.1
to 6.

Mr. Kalpani Mangave i/b Manoj Patil, for Respondent
No.7.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 2, 2025

P.C.:

1. The petitioner challenges the order passed by the Appellate Authority arising out of the order of deregistration passed by the First Authority in exercise of powers under Section 21A of the Maharashtra Cooperative Societies Act, 1960 (“MCS Act”). According to the petitioner, there was a delay of more than 300 days in filing the appeal; however, without condoning the delay, the Appellate Authority proceeded to decide the appeal on merits.

2. On perusal of the record, including the *roznama*, it appears that the Appellate Authority did not condone the delay in filing the appeal. Therefore, it could not have considered the appeal on merits. Hence, the impugned order dated 8 October 2025 passed

by the Appellate Authority in Appeal No. 3 of 2024 cannot be sustained and is hereby quashed and set aside.

3. The proceedings are restored to the file of Respondent No. 1, who shall first decide the application for condonation of delay in filing the appeal. In the event the delay is condoned, the appeal shall thereafter be decided on merits after giving an opportunity of hearing to both sides.

4. The parties shall appear before Respondent No.1 on **15 December 2025 at 3:30 p.m.**

5. The Appellate Authority shall decide the proceedings within three months from the date of appearance of the parties.

6. The writ petition stands disposed of in above terms. No costs.

7. Pending interlocutory applications, if any, stand disposed of.

(AMIT BORKAR, J.)