

MPB

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

WRIT PETITION NO. 15819 OF 2025

Pandit Vasanttrav Ingole ... Petitioner

V/s.

The Divisional Joint Registrar, Co-
operative Society, Pune and Ors. ... Respondents

WITH

WRIT PETITION NO. 15820 OF 2025

WITH

WRIT PETITION NO. 15822 OF 2025

WITH

WRIT PETITION NO. 15824 OF 2025

WITH

WRIT PETITION NO. 15827 OF 2025

WITH

WRIT PETITION NO. 15823 OF 2025

WITH

WRIT PETITION NO. 15826 OF 2025

Mr. Pradip Dalvi i/by Mr. Vipul K. Shah for the
petitioner.

Mr. Prashant S. Hagare for the Respondent No.2

D. S. Deshmukh, AGP for Respondent No.1 in WP
No.15819 of 2025.

S. R. Crasto, AGP for Respondent No.1 in WP
No.15820 of 2025.

V. R. Raje, AGP for Respondent No.1 in WP No.15822
of 2025.

S. D. Chipade, AGP for Respondent No.1 in WP
No.15824 of 2025.

P. V. Nelson, AGP for Respondent No.1 in WP No.15827 of 2025.

M. S. Shrivastava, AGP for Respondent No.1 in WP No.15823 of 2025.

A. Bhadang, AGP for Respondent No.1 in WP No.15826 of 2025.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 8, 2025

P.C.:

1. Rule. Rule is made returnable forthwith.
2. The challenge in this petition concerns the refusal to condone delay in filing a revision under Section 154 of the Maharashtra Co-operative Societies Act, 1960. The Revisional Authority declined to exercise jurisdiction on the premise that the petitioner had not complied with Section 154(2A). The authority treated such compliance as a condition precedent even for considering the request for condonation of delay. This approach is erroneous. The statute creates a clear sequence. The authority must first decide whether sufficient cause exists for condoning the delay. Only after the revision is held to be maintainable does the statutory obligation under Section 154(2A) arise. The requirement under Section 154(2A) does not arise in a vacuum. It arises only when the revision attains the stage of being examined on merits. The Revisional Authority overlooked this distinction. The order, therefore, rests on a misdirection in law. When an authority acts on a premise foreign to the statute, its order cannot stand. It is a fit case for interference under Article 226. The impugned order is

quashed. Rule is made absolute in terms of prayer clause (a).

3. The Divisional Joint Registrar shall now decide the application for condonation of delay on its own merits. The authority shall examine the explanation tendered by the petitioner. It shall apply settled principles governing condonation. If the authority finds sufficient cause and condones the delay, then the petitioner shall comply with Section 154(2A) before the revision is taken up for consideration.

4. In view of above, the writ petitions stand disposed of.

(AMIT BORKAR, J.)