

AGK

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

WRIT PETITION NO.17554 OF 2025

Isratjaha Gulam Kadir Shaikh	... Petitioner
V/s.	
The State of Maharashtra & Ors.	... Respondents

Mr. Devendra Shukla for the petitioner.

Mrs. D.S. Deshmukh, AGP for respondent Nos.1 and 2-State.

Mr. Pratik B. Rahade for respondent No.3.

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CORAM : AMIT BORKAR, J.

DATED : DECEMBER 24, 2025

P.C.:

1. The essential challenge in the writ petition is to an order passed by the Chief Judicial Magistrate in exercise of power under Rule 107(11)(d-vi) of the Maharashtra Cooperative Societies Rules, 1961.

2. This Court in the case of *Amit Prakash Jori & Anr. vs. The State of Maharashtra & Ors.*, Writ Petition No.1331 of 2025 decided on 4 February 2025 has already interpreted the scope of power of the Magistrate. The power is executionary and ministerial in nature. Therefore, the remedy for the petitioner in case his rights are affected is somewhere else and not challenging the order of the Chief Judicial Magistrate.

3. Hence, the writ petition need not be entertained. The same

stands dismissed. No costs.

(AMIT BORKAR, J.)