



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 2890 OF 2024

(The Liquidator, Vasant Nagari Sahakari Pat Sanstha Ltd. and another vs. Gunwantibai V. Shaha)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. Ram Karode, Advocate for petitioners.
Mr. Onkar Ghare, Advocate for respondent.

CORAM : SIDDHESHWAR S. THOMBRE, J.
OCTOBER 09, 2025

- 1) Heard learned counsel for the petitioners and learned counsel for respondent.
- 2) The petitioner has challenged the order dated 23/02/2024 passed by the Member, Maharashtra State Co-operative Court, Mumbai, Bench at Nagpur in Appeal No.38/2023, whereby set aside the order dated 25/09/2023 passed by the Judge, Cooperative Court, Akola in Dispute No.491/2020 and the matter was remanded back to the Trial Court to rehear the dispute by giving opportunity to the parties to lead further/additional evidence as per the procedure.
- 3) Learned counsel for the petitioner further submitted that the learned Appellate Court ought not to have remanded the matter back to the Trial Court when the matter was finally decided. The respondent herein had placed on record some additional documents which were not in fact placed in the earlier round of litigation.
- 4) I have gone through the contents of the petition as well as the impugned order. The Cooperative Appellate Court

has considered the fact that the issue of membership is needed to be reconsidered and therefore, for giving an opportunity to lead evidence to all the parties, the matter was remanded back.

5) After going through the observations made by the Appellate Court, I do not find any perversity in the order. Therefore, I am not inclined to entertain the present writ petition. As such, the writ petition is dismissed. No order as to costs.

(SIDDHESHWAR S. THOMBRE, J.)