



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

WRIT PETITION NO. 4169 OF 2024

PETITIONER :

Jamnabasad Bhagwati Prasad Tiwari,
Through his Power of Attorney,
Ganesh Jamnabasad Tiwari,
Aged 37 years, Occ : Agriculturist,
R/o Sakharkherda, Sindhkhedraja,
Dist. Buldhana.

V E R S U S

RESPONDENTS :

1. The State of Maharashtra,
Through its Principal Secretary,
Co-operative, Marketing and Textile
Department, Mantralaya,
Mumbai – 440 032.
2. The Registrar General of Money
Lenders and Registrar of Co-operative
Societies, Maharashtra State, Pune.
3. Divisional Joint Registrar,
Co-operative Society, Amravati,
Dist. Amravati.
4. District Deputy Registrar,
Co-operative Societies, Buldhana,
Dist – Buldhana.
5. Baban Narayan Londhe,
Age – Major, Occ. : Agriculturist
(Money Lender), R/o Sakharkherda,
Sindhkhedraja,
District – Buldhana.

Shri V B. Bhise, Advocate for petitioner.

Shri B. M. Lonare, AGP for respondent Nos.1 to 4.

Shri Bhavin Suchak, Advocate for respondent No.5.

CORAM: SMT. M.S. JAWALKAR, J.

DATE : 17/02/2025.

ORAL JUDGMENT :

1. **Rule.** Rule is made returnable forthwith.
2. Heard finally with the consent of learned counsel appearing for the parties.
3. By this petition, petitioner is challenging the order dated 18/06/2024 passed by respondent No.2 - Registrar General of Money Lenders and Registrar of Co-operative Societies, Pune in Revision Application No.51/2021. By this order, the Registrar held that no revision will lie against the order of Divisional Registrar in Appeal No.3/2021. The finding is recorded by the Registrar General on the ground that in Writ Petition No.14387/2019 and Writ Petition No.254/2020, Aurangabad Bench held that reading of Sections 9 and 18(4) and 18(5) in no manner of doubt, it could be understood that the revision lies only against the order or decision against which no appeal lies.
4. It is further held that appeal filed by the order of Sub-Registrar under Sections 18(1) and (2) and the Judgment of the Appellate Authority is final, and therefore, it is held that no revision would lie after passing of the Judgment in appeal.

However, learned counsel for the petitioner pointed out that there was review filed in Writ Petition No.14387/2019 and the said order passed by Aurangabad Bench dated 24/04/2024 came to be recalled. It is held that the review application is liable to be allowed and the impugned order of this Court dismissing the petition on the ground that Registrar General of Money Lenders and Registrar of Co-operative Societies, Pune has no jurisdiction to file revision under Section 9 of the Maharashtra Money Lending (Regulation) Act, 2014.

5. In view of order dated 12/09/2024 passed in Review Application (Civil) No.196/2024, the order passed by Registrar General of Money Lenders and Registrar of Co-operative Societies, Pune also needs to be reviewed as said order passed only relying on Judgment of Aurangabad Bench before review. The order dated 18/06/2024 passed by the Registrar General of Money Lenders and Registrar of Co-operative Societies, Pune is hereby quashed and set aside.

6. The matter is remitted back to the learned Registrar General of Money Lenders and Registrar of Co-operative Societies, Pune for fresh consideration.

7. This Court in Writ Petition No.4902/2022 vide Judgment dated 15/11/2022 directed the respondent No.1 to decide the application filed by the petitioner. In the stay application filed by the petitioner at that time also, this Court directed the parties to maintain status quo in respect of sale deed in question. As such, the stay shall be continued till disposal of the revision.

8. The parties to appear before the Registrar General of Money Lenders and Registrar of Co-operative Societies, Maharashtra, Pune on 05/03/2025.

9. Rule is made absolute in the above terms.

[SMT. M.S. JAWALKAR, J.]