



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

WRIT PETITION NO.7140 OF 2024

ISHWAR NAMDEO TAPARE

VERSUS

COMMISSIONER OF CO- OPERATIVE AND REGISTRAR OF CO-OP
 SOCIETIES, PUNE AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.A. Mohta, Advocate for Petitioner.

Ms. P.C. Bawankule, AGP for Respondent Nos.1 to 3-State.

Mr. M.B. Turankar, Advocate for Respondent Nos.4 to 6.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 25th SEPTEMBER 2025

1. Heard learned Advocate for the petitioner as well as learned Advocate for respondent Nos.4 to 6 and learned AGP for Respondent Nos.1 to 3-State.

2. The limited controversy in the instant petition is challenge to the order dated 10.07.2024, passed by respondent No.1 Commissioner of Co-operative and Registrar of Co-operative Societies, Maharashtra State, Pune, in Revision Application No.24 of 2022, thereby holding that the revision application under Section 9 of the Maharashtra Money Lending (Regulation) Act, 2014, is not maintainable. The impugned order is passed on the basis of judgment of the coordinate bench of this Court, dated 24.04.2024, passed in Writ Petition No.14389 of 2019 with connected matters. Perusal of the

impugned order shows that, only on the basis of this judgment, it is held that the revision application challenging the order passed under Section 18(4) of the Maharashtra Money Lending (Regulation) Act is not maintainable as respondent No.1 had no revisional jurisdiction.

3. Learned Advocate for the petitioner has pointed out that the said judgment of the coordinate bench is subsequently reviewed by order dated 12.09.2024, passed in Review Application (Civil) No.196 of 2024, and as a result, the position of law is now clear that a revision application under Section 9 of the Maharashtra Money Lending (Regulation) Act is maintainable.

4. Since the position of law is now clarified in view of the judgment passed in review application referred above and there is no reason to take a different view, the impugned order is not sustainable and the matter needs to be remanded back to respondent No.1, for deciding the revision application afresh. Hence, following order is passed.

ORDER

- I) The Writ Petition is partly allowed.
- II) The order dated 10.07.2024, passed by respondent No.1 Commissioner of Co-operative and Registrar of Co-operative Societies, Maharashtra State, Pune is quashed and set-aside.

- III) The matter is remanded to respondent No.1 for deciding Revision Application No.24 of 2022, filed by the petitioner, afresh after giving the opportunity of hearing to all the parties.
- IV) Parties are directed to appear before respondent No.1 on 06th October 2025 and invite its attention to this order.
- V) Respondent No.1 is directed to expedite the proceedings of revision application.

(PRAFULLA S. KHUBALKAR, J.)

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