

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3360 OF 2026

VIKRANT SHRIKRUSHNA DESHMUKH

VERSUS

**CHIKHALI URBAN CO OPERATIVE BANK LTD CHILHALI
AND OTHERS**

AND

WRIT PETITION NO. 3322 OF 2026

VIKRANT SHRIKRUSHNA DESHMUKH

VERSUS

**CHIKHALI URBAN CO OPERATIVE BANK LTD CHIKHLI AND
OTHERS**

...

Mr. P. M. Gaikwad and Mr. A. S. Janrao, Advocate for the
Petitioner.

Mr. S. N. Kendre, AGP for Respondents-State.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 30th MARCH, 2026.**

P.C.:-

1. The present Writ Petitions takes exception to order dated 08.05.2025 passed by Divisional Joint Registrar Co-operative Societies, Chhatrapati Sambhajinagar in Revision Application Nos.11/2024 and 12/2024 respectively, whereby Divisional Joint Registrar relegated matter to Deputy Registrar, Co-operative Societies, Chhatrapati Sambhajinagar with further direction to reconsider same in tune with Rules 86-A to 86-F of Maharashtra Co-operative Societies Rules, 1961 (for short 'MCS Rules,1961').

2. Mr. Gaikwad, learned Advocate appearing for petitioner submits that petitioner was never served with notice prior to filing

of application under Section 101 of Maharashtra Co-operative Societies Act, 1960 (for short 'MCS Act, 1960'). Even there was no notice about placing loan account under NPA. He submits that petitioner was not party to mortgage deed. The property mentioned in mortgage deed is not secured against loan. Therefore, application under Section 101 of MCS Act, 1960 was not tenable against petitioner.

3. Perusal of impugned order dated 08.05.2025 passed by Divisional Joint Registrar suggests that order of Deputy Registrar passed under Section 101 of MCS Act, 1960 was subject matter of challenge in Revision on behalf of Bank. Initially, application under Section 101 of MCS Act, 1960 for issuance of recovery certificate filed by respondent-Bank was rejected by Deputy Registrar. Therefore, respondent preferred Revision under Section 154 of MCS Act, 1960. The Divisional Joint Registrar after considering rival contentions, remanded matter back for reconsideration by following due procedure contemplated under Rules 86-A to 86-F of MCS Rules, 1961.

4. This Court finds that all contentions raised by petitioner can be raised before Deputy Registrar to whom proceedings is relegated for reconsideration. This Court need not delve into contentions or factual aspect of matter raised by petitioner.

5. In that view of matter, Writ Petitions stand dismissed with liberty in favour of petitioner to raise all contentions before Deputy Registrar, Co-operative Societies, Chhatrapati Sambhajanagar.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/March-2026