

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11487 OF 2025

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Prashant Ashok Ekkaldevi

... Petitioner

Versus

The State Of Maharashtra Thru. Secretary and Ors.

... Respondents

.....
Dr. Ramdas Sabban (through VC) a/w Mr. Amol A. Kanaki i/b Rohit V.
Chitiken for the Petitioner.

Mr. Abhishek Nandimath a/w Rajeshwari Gajbharkar for Respondent
No.4.

Ms. T.J. Kapre, AGP for the Respondent - State.

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**CORAM : MADHAV J. JAMDAR &
PRAVIN S. PATIL, JJ.**

DATE : 13th MARCH, 2026.

ORAL ORDER : (Per Pravin S. Patil, J.)

1. By this petition, the Petitioner approached before this Court against the judgment of Divisional Joint Registrar, Co-operative Society, Pune dated 29th March 2023 whereby the authorities by exercising the powers under Section 21-A of the Maharashtra Co-operative Societies Act de-registered the Society.

2. The Respondent who are appearing before the Court has raised a strong objection of tenability of the petition stating that as per Section 152 of the Maharashtra Co-operative Societies Act the statutory appellate forum is available to the Appellant to redress their grievances and hence, the present petition is not tenable and same should be dismissed on the ground of tenability. To support this submission, the Respondent has relied upon a decision of the co-ordinate bench of this Court in the case of **Ambadas Narsingh Konda & Anr. Vs. The State of Maharashtra & Ors.** decided on 21st December 2023 passed in Writ Petition No. 15781 of 2023.

3. The Petitioner states that he can approach to the appellate authorities however, according to his experience the appellate authorities are not deciding the Appeals diligently and the matters remained pending for years together and, therefore, he has invoked the jurisdiction of this Court under Articles 226 and 227 of the Constitution of India in the matter. Hence, he prayed to entertain the present petition on merits.

4. In the present matter, this Court by an order dated 9th December 2025 granted stay to the impugned order dated 29th March 2023. The same is operating till date. It is also pertinent to note that the

Respondent - Society has already preferred their independent Appeal before the appellate authority and the same is pending. The order which is relied upon by the Respondent in Writ Petition No. 15781 of 2023 is of the same society, whose appeal is pending before the appellate authority.

5. In the backdrop of above factual position, we dispose of the Writ Petition with direction to the Appellant to prefer the statutory Appeal under Section 152 of the Maharashtra Co-operative Societies Act and till the decision of the Appeal, the interim order granted by this Court dated 9th December 2025 will operate in the matter.

6. The Appellant should file the Appeal before the appellate authority within a period of three weeks from today. If such Appeal is filed, the appellate authority should decide the Appeal within a period of 3 months thereafter along with Appeal filed by the Society on its own merits. Failure to file Appeal within given period of 3 weeks , the interim relief will not operate in the matter.

7. The Writ Petition stands disposed of in the above directions. No order as to costs.

- 8.** All the contentions of the parties are expressly kept open.

[PRAVIN S. PATIL, J.]

[MADHAV J. JAMDAR, J.]