

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15343 OF 2024

Jagdish Nivruttikorhale & Anr ...Petitioners

Versus

The State Of Maharashtra & Ors ...Respondents

AND

WRIT PETITION NO. 16664 OF 2024

Suresh Gangadhar Nevkar (Deceased) Through ...Petitioner
Legal Heir

Versus

The State Of Maharashtra & Ors ...Respondents

Mr. V.S. Tadake, a/w M.B. Gawde, for the Petitioners.

Mr. P.V. Nelsonrajan, AGP, for Respondent-State.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 9, 2026

ORDER :

Writ Petition No.15343 of 2024:-

1. Having perused the record with the assistance of Learned Advocate for the parties, it is apparent that an order dated May 29, 2024 passed by the Registrar of Co-operative Societies, Pune has rejected the Revision Application filed by the Petitioner primarily on the basis of the decision of a Learned Single Judge passed in Writ Petition No.14387 of

2019, holding that there was no power of revision with such authority. However, as it transpires, by a subsequent order dated September 12, 2024, the Learned Single Judge was pleased to allow Review Application (Civil) No.196 of 2024 in Writ Petition No.14387 of 2019, pointing out that a prior decision of a Learned Single Judge in judgement dated August 28, 2018 passed in Writ Petition No.5362 of 2017 had in fact explicitly held that a revisional remedy is indeed available.

2. The decision dated August 28, 2018 had not been noticed when the earlier order was passed. Now that the Learned Single Judge of this Court who had held that revision power was not available has taken note of it and reversed the decision on which the impugned order is based, the very basis on which the Registrar Co-operative Societies, Pune passed the impugned order dated May 29, 2024 has undergone a fundamental alteration.

3. Therefore, the Learned Advocate for the parties are in consensus that the order dated May 29, 2024 may be set aside, restoring the file back to the roster of the Registrar Co-operative Societies, Pune to hear the Revision Application, which deals with the same subject matter as this Writ Petition.

4. In these circumstances, leaving it to the Registrar of Co-operative Societies, Pune to deal with the Revision Application, this Petition is *disposed of* without any comment on the merits of the same.

Writ Petition No.16664 of 2024:-

5. This Petition is in connection with the factual matrix connected to Writ Petition No.15343 of 2024, inasmuch as the Petitioner is a subsequent purchaser of the same property which was purported to have been sold by the purported money lender to the Petitioner in this Petition. The Petitioner in Writ Petition No.16664 of 2024 had sought to intervene in the revision proceedings but such application for intervention came to be dismissed on January 17, 2023. The said rejection has not been challenged till date.

6. Considering that we are now in January 2026, the Writ Petition No.16664 of 2024 is disposed of by simply giving liberty to the Petitioner to adopt such proceedings, including any future Petition, depending on the outcome of the Revision Application that stands remitted to the Registrar of Cooperative Societies, Pune in Writ Petition No.15343 of 2024.

7. With the aforesaid observations, both the captioned Petitions are ***finally disposed of***. The Learned Registrar of Co-operative Societies, Pune is requested to convene on ***January 29, 2026 at 12:00 noon*** for this purpose and then issue instructions to the parties on how to proceed further. The Learned Registrar is requested to consider the matter as expeditiously as possible, preferably within a period of three months from the time the parties present themselves to the Registrar.

8. Needless to say, since no expression of an opinion is made on merit, all contentions of the parties in the revisional proceedings are left open.

9. Liberty to file *vakalatnama* on behalf of the Respondent.

10. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]