

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL WRIT PETITION NO. 13781 OF 2025

Digambar Vishwanath Wade and
Ors.

...Petitioners

Vs.

The State of Maharashtra Thr.
Its Cooperative Dept and Ors.

...Respondents

Adv. Chetan S. Damre a/w Adv. Omkar S. Banbe	Advocate for the Petitioners
Smt. T.N. Bhatia	AGP for the Respondent- State

**CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.**

DATE : 8th JANUARY 2026

P. C. :-

1. We are informed that during the pendency of the petition, proceeding under Section 98 of the Maharashtra Co-operative Societies Act, 1960, is already decided, by rejecting the application of the Petitioners. The Petitioners are in the process of challenging those orders. However, so far as, the proceedings in respect of the order dated

24th February 2025 passed by the Respondent No. 2 under Section 88, Maharashtra Co-operative Societies Act, 1960 are concerned, an appeal is preferred under Section 152 before the Division Joint Registrar. In that appeal, the application for stay has been filed.

2. In view of the subsequent development, we do not propose to entertain the present petition at this juncture, as the appeal and application for stay have already been filed. However, learned counsel for the Petitioners submits that Respondents are in the process of completing the auction in respect of agricultural property belonging to the Petitioners. This will cause serious prejudice to the Petitioners.

3. Since the application for stay has already been filed before the Division Joint Registrar, we are requesting the Division Joint Registrar to decide the said appeal as well as the application for stay expeditiously.

4. So far as the application for stay is concerned, we direct the Division Joint Registrar to consider the question of granting ad-interim/interim relief within a period of two weeks from the date of communication of this order. Petitioners are at liberty to apply in case of difficulty.

5. The learned counsel for the Petitioners undertakes to produce copy of this order before the Division Joint Registrar on Monday at 11.30 a.m..
6. For a period of two weeks from Monday i.e. 12th January 2026, the auction sale not to be finalized, which will be subject to any order passed by the Division Joint Registrar or by Competent Forum in the application for stay.
7. With the above observation, the Writ Petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)