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

WRIT PETITION NO.1839 OF 2026

Savitha Dinesh Shetty ... Petitioner
V/s.
 The State of Maharashtra & Ors. ... Respondents

Mr. Rushikesh G. Bhagat i/by Mr. Prerak A. Sharma for
 the petitioner.

Smt. M.S. Srivastava, AGP for the State.

Mr. Kirit Hakani with Niyati Hakani, Rahul Hakani and
 Bhavana Ahire for respondent Nos.4 and 5.

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CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 9, 2026

P.C.:

1. By the impugned order, the revisional authority has returned the revision memo along with all annexures to the petitioner. The only reason recorded is that the petitioner did not comply with Section 154-2A of the Maharashtra Cooperative Societies Act, 1960. In other words, the authority refused to even keep the revision on file because the petitioner had not deposited fifty per cent of the recoverable dues.

2. The legal position on this aspect is fairly clear. Section 154-2A creates a restriction, but the nature of that restriction requires close examination. The provision does not say that a revision cannot be filed unless fifty per cent of the amount is first deposited. The language of the section indicates that the bar

applies when the authority proceeds to entertain the revision or considers granting interim relief. There is a distinction between filing a proceeding and entertaining it on merits. Filing is an act of the litigant. Entertaining is an act of the authority. The statute regulates the latter, not the former.

3. The scheme of the MCS Act also supports this view. A person aggrieved by a recovery certificate issued under Section 101, or by an order under Section 154B-29, has a statutory right to approach the revisional authority. That right cannot be curtailed by reading into the provision a condition which the legislature has not expressly imposed at the stage of filing. Section 154-2A ensures that the applicant does not obtain interim protection or a decision on merits without first depositing fifty per cent of the dues. It acts as a condition for consideration, not as a condition precedent for presentation.

4. Therefore, the consequence of non-deposit is limited. Until the deposit is made, the authority cannot grant interim or ad-interim relief. It also cannot proceed to decide the revision on merits. However, the authority cannot refuse to accept the revision or return it at the threshold. Returning the revision memo amounts to denying access to the revisional forum itself.

5. In the present case, the revisional authority treated the non-deposit as a bar to filing. That understanding is legally incorrect. The impugned order, therefore, cannot be sustained.

6. The petitioner shall be permitted to file the revision application before the competent authority. The authority shall

register the revision in accordance with law. However, it is clarified that unless and until the petitioner deposits fifty per cent of the recoverable dues as contemplated under Section 154-2A of the MCS Act, the authority shall not consider any request for interim or ad-interim relief. The revision shall not be taken up for consideration on merits until compliance with the statutory requirement is shown.

7. The writ petition is disposed of in the above terms. There shall be no order as to costs.

(AMIT BORKAR, J.)