



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.6513 OF 2025

Pragati Mastya Vyavasaya Saha. Sanstha Marya.,Thr.Chief
 Promotor/President

Vs.

Govt.Of Maha.,Dept.Of Agri.,Animal Husb. Dairy Devpt. And Fisheries
 Devpt. Thr. Honble Minister And Ors

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. C.R. Sharma, Advocate for the Petitioner.

Mr. S.C. Joshi, AGP for the Respondent Nos.1 to 4 & 8/State.

Mr. Onkar Ghare, Advocate for Respondent No.5/Caveator.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 18th MARCH, 2026

1. Heard learned counsel for the petitioner as well as learned counsels for respondents.
2. By this petition, the petitioner-Society has challenged the orders dated 26.05.2025 and 30.07.2025 passed by respondent No.1.
3. The primary contention canvassed on behalf of the petitioner is that respondent No.1 has passed the final order dated 30.07.2025 without at all considering the contentions canvassed on behalf of petitioner with respect to the order dated 08.08.2024 passed by respondent No.2.
4. It is pointed out that by an order dated 08.08.2024 the respondent No.2 had dismissed the appeal filed by respondent No.5 herein, which was a challenge to the registration of Petitioner-Society. Although, this order was challenged before respondent No.1 by respondent No.5

herein, the said order has elaborately considered the entire controversy.

5. By inviting my attention to the reasoning recorded by respondent No.1 while passing Order dated 30.07.2025, it is pointed out that the issues are considered for the purpose of granting interim relief and even the concluding paragraph of the reasoning part also clearly shows that respondent No.1 has observed its prima-facie opinion for grant of interim relief, however, the operative portion of the order shows that the revision application is finally allowed and order dated 08.08.2024 is quashed and set-aside. Further, in clause 3 of the operative portion of the order, it is ordered that registration of the petitioner-society shall be stayed for the time being.

6. In view of this, he points out that the final Order is passed by respondent No.1 by only considering the contentions for the purpose of granting interim relief and this clearly demonstrates non-application of mind.

7. Advocate Mr. Ghare, learned counsel for respondent No.5 however, opposed the petition and submitted that respondent No.1 has considered the actual controversy involved in the petition and although the reasoning appears to be a reasoning for deciding the interim application, the actual controversy is properly considered and decided.

8. On similar arguments, learned AGP also supported the impugned order.

9. Perusal of the impugned order reveals that the reasoning recorded is with respect to considering the case for interim relief. The entire tenor of the order clearly

shows that the Authority was considering the case as if, it was considering the application for interim relief, however, the Revision Application is finally decided by that order. The impugned order doesn't show any reasons for differing with the findings recorded by respondent No.2 which are elaborately mentioned in the order dated 08.08.2024.

10. Thus, it is clear that the impugned order is passed without considering the actual controversy involved and the final order is passed by considering the contentions canvassed with respect to the application for interim relief only. The impugned order dated 30.07.2025 is thus, unsustainable on this count alone.

11. In view of the fact that the main controversy involved in the revision application and the contentions canvassed on behalf of petitioner, who was respondent No.4 in the revision application, are not considered, it is in the interest of justice that the matter is remanded to respondent No.1 for re-consideration of the entire controversy. Hence, I pass the following Order :-

ORDER

- (i)** The Writ Petition is **partly allowed**.
- (ii)** Order dated 30.07.2025 passed by respondent No.1 is hereby quashed and set-aside.
- (iii)** Matter is remitted to respondent No.1 for considering the revision application afresh after giving an opportunity of hearing to both the parties.
- (iv)** It is clarified that the interim order dated 26.05.2025 which was operating during the pendency of the revision application shall continue to operate till the decision of the revision application.

(v) Parties are directed to appear before respondent No.1 on 01.04.2026 and invite attention to this Order.

12. Considering the controversy involved, respondent No.1 is directed to expeditiously decide the Revision Application, preferably within a period of three months from today.

13. In view of above, the writ petition is **disposed of** in above terms.

(PRAFULLA S. KHUBALKAR, J.)

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