



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

WRIT PETITION NO. 3648 OF 2026

GOWARDHAN NAGRI SAHAKARI PAT SANSTHA LTD.,

VS

DIVISIONAL JOINT REGISTRAR OF COOPERATIVE SOCIETIES, AMRAVATI AND ORS.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. V.K. Paliwal, Advocate for petitioner.

Mr. A.S. Fulzele, AGP for respondent Nos.1 & 2/State.

Mr. Harish Dangre, Advocate a/w Mr. S.N. Gattani, Advocate
for respondent No.3.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 30.04.2026

Heard learned counsel for the petitioner.

2. Issue notice to the respondents.
3. Learned AGP appears on behalf of respondent Nos.1 & 2/State and waives service.
4. Advocate Mr. Dangre, appears on behalf of respondent No.3 and waive service.
5. Respondent No.3 has also tendered across the bar copy of affidavit-in-reply, which is taken on record.
6. The petitioner's challenge is to the order dated 21.04.2026 passed by the Divisional Joint Registrar of Co-operative Societies, Amravati, by which the application for

stay is partly allowed and it is ordered that the petitioner-society, which is respondent No.2 in the pending appeal before the Divisional Joint Registrar, shall not conduct business within the jurisdiction of the village Gowardhan, Tq. Risod, District – Washim, in which, the respondent No.3 i.e. the appellant before the authority is conducting the business.

7. Learned counsel for the petitioner submits that by virtue of this interim order, the business of the petitioner-society is literally stalled and he, therefore, prays that the interim order passed by the Divisional Joint Registrar, be quashed.

8. A perusal of the impugned order reveals that it is an interim order passed by the Divisional Joint Registrar- respondent No.1 in an appeal under Section 152 of the Maharashtra Co-operative Societies Act, which is filed by the respondent No.3 herein, on the ground that the registration of the petitioner-society is without issuing any notices to all concerned societies, which are operating in the area of jurisdiction.

9. The impugned order itself records that the next date of the proceedings is 09.06.2026 and the appeal is likely to be considered on merits thereafter. As such, it is clear that the main proceedings are pending and the

restraint order is only with respect to working of the petitioner-society in the area of village Gowardhan.

10. It has to be noted that by virtue of the interim order, which is impugned herein, the restriction is only with respect to village Gowardhan, as mentioned in para 2 of the operative portion of the said order. It is, therefore, clarified that except the restriction as mentioned in para 2 of the operative portion, the petitioner-society is entitled to conduct its business in all other areas in accordance with its registration. Since the impugned order is only an interim order and the main appeal under Section 152 of the Maharashtra Co-operative Societies Act, is already pending, there is no need to interfere at this stage. Accordingly, with this clarification, the writ petition is disposed of.

11. Having regard to the controversy, the respondent No.1 is directed to expeditiously decide the appeal, preferably within a period of three months.

12. The writ petition is allowed and disposed of accordingly.

(Prafulla S. Khubalkar, J.)