



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.13818 OF 2018

- 1 Shri. Ashok Harakkchand Sanghvi,
Age 61 yrs., Occ. Business,
Chairman Pachora Peoples Co-operative
Bank Ltd., Pachora, Tq. Pachora, Dist. Jalgaon.
- 2 Shri. Rajmal Badrilal Agrawal,
Age 70 yrs., Occ. Business,
R/o Shendurni, Tq. Jamner,
Dist. Jalgaon.
- 3 Shri. Chandrakant Meghji Lodhaya,
Age 67 yrs., Occ. Business,
R/o Bhadgaon Road, Pachora,
Dist. Jalgaon.
- 4 Shri. Alpesh Brijlal Sanghavi,
Age 40 yrs., Occ. Business,
R/o Gandhi Chowk, Pachora,
Dist. Jalgaon.
- 5 Shri. Jitendrakumaran (Jivan) Champalal Jain,
Age 41 yrs., Occ. Business,
R/o Gandhi Chowk, Pachora,
Dist. Jalgaon.
- 6 Shri. Kishor Harischandra Shirude,
Age 45 yrs., Occ. Business,
R/o Gandhi Chowk, Pachora,
Dist. Jalgaon.
- 7 Shri. Ashok Rupchand Bafana,
Age 62 yrs., Occ. CA,
R/o 4, Jareshwar Nagar, Pachora,
Dist. Jalgaon.

- 8 Shri. Parasmal Z. Lalwani,
Age 55 yrs., Occ. Business,
R/o Pachora Road, Jamner,
Pachora, Dist. Jalgaon.
- 9 Shri. Nandkumar Shridhar Sonar,
Age 45 yrs., Occ. Business,
R/o Pachora, Tq. Pachora,
Dist. Jalgaon.

... **Petitioners.**

... **Versus** ...

- 1 District Deputy Registrar,
Co-operative Societies, Jalgaon,
Akashwani Chowk, Jalgaon,
Dist. Jalgaon.
- 2 Shri. VN. Jagtap,
Authorized Officer (appointed by DDR)
Pachora Peoples Co-operative Bank Ltd.,
Station Road, Pachora, Dist. Jalgaon.
- 3 Divisional Joint Registrar,
Co-operative Societies, Nashik Division,
Nashik, Gadkari Chowk, Nashik.
- 4 The State of Maharashtra,
Through the Learned Minister/
Chief Secretary Co-operation.
For Co-operation and textile
Department Mantralaya, Mumbai.
- 5 Sau. Mayuri Mukund Bildikar,
R/o Ashirwad, Bhadgaon Road,
Pachora, Dist. Jalgaon.
- 6 Avinash Mukund Bhalerao,

R/o Milind Housing Bank,
Pachora, Dist. Jalgaon.

- 7 Prakash Eknath Patil,
R/o Vivekanand Nagar,
Pachora, Dist. Jalgaon.
- 8 Bhagat Eknath Mahalpure,
R/o Pachora, Tq. Pachora,
Dist. Jalgaon.
- 9 Kalpana Sudhakar Patil,
R/o Pachora, Tq. Pachora,
Dist. Jalgaon.

... **Respondents.**

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Ms. Sheetal Salunke, Advocate h/f Mr. VD. Salunke, Advocate for the
petitioners

Mrs. G.L. Deshpande, AGP for the respondent Nos.1, 3 & 4

Mr. Dhananjay B. Thoke, Advocate for the respondent No.2

Mr. M.P. Tripathi, Advocate h/f Mr. M.S. Deshmukh, Advocate for the
respondent Nos.5, 7 & 8

Mr. V.D. Hon, Sr. Advocate for the respondent Nos.6 & 9

...

WITH

CIVIL APPLICATION NO.15114 OF 2018

Sau. Mayuri Mukund Bildikar & ors.

... Versus ...

Ashok Harakkchand Sanghvi & ors.

...

Mr. M.P. Tripathi, Advocate h/f Mr. M.S. Deshmukh, Advocate for the
applicants

...

WITH

CIVIL APPLICATION (INTERVENTION)(STAMP) NO.38970 OF 2018

Anna Dhondiram Nagane & ors.

... Versus ...

Ashok Harakkchand Sanghvi & ors.

...

Mr. V.C. Patil, Advocate h/f Mr. P.B. Vikhe-Patil, Advocate for the
applicants

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**CORAM : P.B. VARALE &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 21st DECEMBER, 2018

PER COURT :

1 Heard learned counsel Ms. Sheetal Salunke holding for
learned counsel Mr. V.D. Salunke appearing for the petitioners, the
learned senior counsel Mr. V.D. Hon appearing for respondent Nos.6 & 9
and all other counsels who are appearing for the respective respondents.
The petitioners have raised their limited grievance before this Court and
the Division Bench of this Court while issuing of notice on 12.12.2018

referred to that limited grievance. It is not in dispute that being aggrieved by an order passed by the Divisional Joint Registrar, Co-operative Societies, Nashik revision is preferred before the Hon'ble Minister of Co-operation and Textile by the present petitioners and it is the grievance of the petitioners that though the revision was listed before the Hon'ble Minister the respondent No.4 i.e. The Minister, Co-operation and Textile Department has not passed any orders either on the revision petition or on the stay application. It was then submitted before this Court that the Minister transferred the matter for further adjudication. It was also submitted that during the pendency of the appeal before Joint Registrar, Co-operative Societies, there was stay to the order passed by the District Deputy Registrar.

2 The Division Bench, thus, taking note of these grievances issued notice to the respondent and ad interim relief in terms of prayer clause 'C' was granted. In response to notice, the respondents appeared before this Court through their counsel representing them. Mr. V.D. Hon, the learned senior counsel fairly submitted before this Court that the respondents have no objection to decide the stay application expeditiously. The learned counsel further submitted that the

respondents even have no objection to issue direction to the respondent No.4 to decide the revision itself expeditiously. Out attention was invited to the order dated 09.12.2018 placed on record at Exh.R-1 and perusal of this order show that the Minister was in the process of hearing the revision and on an objection raised by an intervener, the Minister thought it fit to defer the matter to the Secretary for appropriate decision. The perusal of the order further show that some wild allegations were levelled against the Revisional Authority and the Revisional Authority in clear and firm terms denied these allegations and thought it fit to defer the matter to other authority. Accordingly, the matter was deferred to the Principal Secretary, Co-operation for appropriate decision. As the learned counsels appearing for respective respondents have no objection for early decision of the revision as well as early decision of stay application, the petition is disposed with direction to the respondent No.4 The Principal Secretary, Co-operation to decide the revision and the stay application expeditiously. The Revisional Authority to decide the stay application as early as possible and not later than six weeks from the date of order of this Court and decide the revision within three months.

3 Parties in stay application as well as revision application to

undertake this Court that they would appear before the Principal Secretary on 4th January, 2019. As the interim relief is granted by this Court vide order dated 12.12.2018, the same to operate till the decision of stay application by the Principal Secretary.

4 The learned counsel, who has filed an application for the applicants seeking intervention in the petition submitted before us that if an application is filed before the Principal Secretary seeking intervention, the Principal Secretary to decide the same on its merits. If such an application is filed before the Principal Secretary, the Principal Secretary to decide the application on merits.

5 In view of the order passed in the Writ Petition, no order is required to be passed on application seeking vacation of interim relief. Application is disposed of accordingly.

(Smt. Vibha Kankanwadi)
JUDGE

(PB. Varale)
JUDGE

agd