

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2009 OF 2025

Nilesh Dilip Jagtap

..Petitioner

Versus

Divisional Joint Registrar Cooperative Soc & Ors

...Respondents

Mr. Sagar Kursija, with Ronak Utagikar, for the Petitioner.

Dr. Dhruti Kapadia, AGP, for Respondent Nos. 1 and 2-State.

Mr. Shailendra Kanetkar, for Respondent Nos. 4 to 16.

CORAM: N. J. JAMADAR, J.

DATED : 15th JULY 2025

P.C.:

- 1.** Heard the learned Counsel for the parties.
- 2.** The challenge in this Petition is to an order dated 22nd January 2025, whereby an Application preferred by the Petitioner assailing the maintainability of the revision before the Registrar of Cooperative Societies, against an order passed by the Deputy Registrar, under the provisions of Rule 66 of the Maharashtra State Cooperative Societies (Election to Committee) Rules, 2014 (“the Rules of 2014”), came to be rejected.
- 3.** There is a prelude to this Petition. The disqualification of the private Respondents under Rule 66 of the Rules of 2014, was assailed before this Court in Writ Petition No. 14371 of 2022. The said Petition

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was partly allowed and the order dated 15th November 2022, passed by the Deputy Registrar disqualifying the private Respondents was set aside. The proceeding were restored to the file of Deputy Registrar for afresh decision.

4. In the said order, this Court has recorded that the said order dated 15th November 2022 was passed by the Deputy Registrar in exercise of the power delegated under the Notification dated 11th September 2012 and not in his capacity as District Cooperative Election Officer. The Court has recorded a finding that the revision against the said order would be maintainable before the State Government as the said order was passed as a delegate of the Registrar.

5. As this Petition arises in the very same matter, it may be appropriate to place the Petition before the same Hon'ble Judge (Coram: Sandeep V. Marne, J) as there is a risk of the co-ordinate Bench recording conflicting views in the same matter.

6. The Registry is, therefore, directed to place the papers before the Hon'ble the Chief Justice, for appropriate orders.

7. In the meanwhile, the ad-interim relief, granted earlier, shall continue to operate till the next listing of the matter.

[N. J. JAMADAR, J.]