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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 10764 OF 2015

Shri Vishwanath Baburao Chakote

.. Petitioner

Vs.

Solapur Siddheshwar Sahakari  
Bank Ltd. Solapur and ors.

.. Respondents

Mr. Amitkumar Sale for petitioner.  
Mr. S. S. Aradhye for respondent no.1.  
Mr. P. P. Kakade, AGP for State.

CORAM: NARESH H. PATIL &  
S. B. SHUKRE, JJ.

OCTOBER 30, 2015.

P.C.

1. The learned counsel for the petitioner submits that in extreme urgency the petition is moved before this court though a revision petition filed against the order passed by the Additional Commissioner, Cooperative Housing Society, Pune, is pending before the State Government.

2. The urgency according to the learned counsel is that the elections to the Director of Board of respondent no.1-Bank are declared and tomorrow is the last day for filing nomination papers. The learned counsel for the respondent no.1 submits that in view of pendency of

revision petition, the petitioner may resort to alternate remedy. The learned AGP submits that the petition is not maintainable as the petitioner has already resorted to alternate statutory remedy.

3. The main issue raised by the learned counsel appearing for the petitioner is that as the petitioner tendered resignation on 2/12/2014, which was accepted on 12/12/2014, there was no need for the authority concerned to pass order of disqualification under Section 73CA of the Maharashtra Cooperative Societies Act, 1960. The order is manifestly erroneous and is required to be set aside or stayed so that the petitioner could file nomination papers.

4. In view of the fact that the revision petition is pending, petitioner may resort to alternate remedy. All issues on merits kept open. Petition is disposed of.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)