

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2795 OF 2012**

Sadanand Kanha Raut

...Petitioner

Versus

Union Bank of India Employees Avishkar Co-
operative Housing Society Ltd. & Ors.

...Respondents

Ms. Aparna Deokar, *with Mr. Makarand Kale and Ms. P. Desai, i/b
M/s. M. P. Vashi & Associates for the Petitioner.*
Mr. N. N. Amin, *for the Respondent No. 1.*

**CORAM: S.C. DHARMADHIKARI &
G.S. PATEL, JJ.**

DATED: 29th January 2016

PC:-

1. In the light of further developments, and particularly the consideration of the complaint by the Deputy Registrar, Co-operative Societies R-Ward, Mumbai and his communication dated 24th March 2012, nothing survives in the prayers which are substantive, namely, prayer clauses (a) and (b).

2. The contents of this communication need not detain us. If the Petitioner is a member of the Co-operative Housing Society and aggrieved by any act of the Co-operative Housing Society, he can while assailing and challenging that act also seek consequential

relief, so that the Statutory Authority can give effect to the ultimate adjudication, the outcome of which may be in favour of the Petitioner.

3. In such circumstances, by not expressing any comment on the merits of the controversy and the allegations made by the Petitioner, we dispose of this Petition. We dispose it of also because the Petitioner has an alternate and equally efficacious remedy of filing a dispute under Section 91 of the Maharashtra Co-operative Societies Act, 1960.

4. We clarify that all contentions of all parties are expressly kept open.

(G. S. PATEL, J.)

(S. C. DHARMADHIKARI, J.)