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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO. 159 OF 2013

Ramesh T. Dumbre ... Petitioner

Versus

The Registrar of Coop. Societies,
State of Maharashtra, Pune and Ors. ... Respondents

Mr. V. Salunke for the petitioner.

Ms. R.M. Shinde, AGP for R. Nos. 1, 2, 4 to 7.

**CORAM : SHANTANU KEMKAR &
PRAKASH D. NAIK, JJ.**
DATED : NOVEMBER 16, 2016.

P.C.

Heard learned counsel for the parties.

2. On 25.10.2013, this court while issuing notice, observed thus :

“1. The grievance of the Petitioner is that the Registrar of Cooperative Societies grants registration in respect of co-operative housing societies even though the building in question is unauthorized. As a result of this and particularly because even financial institutions support such projects, it is alleged that unwary buyers are led to invest their hard earned monies in such projects. We are of the view that the Registrar of Co-operative Societies must take a serious cognizance of the grievance which has been raised and issue necessary administrative directions.

2. Issue notice returnable on 29 November 2013.
Learned AGP waives service for the Respondents

except Respondent no.3. Leave granted on the request of learned counsel appearing on behalf of the Petitioner to delete Respondent no.3 from the array of parties. The Registrar of Co-operative Societies shall file his affidavit-in-reply in the meantime clarifying the position. Stand over to 29 November 2013."

3. Thereafter, the Registrar of Cooperative Societies, Government of Maharashtra issued circular dated 20.11.2013 making it clear that while granting registration to the Cooperative Societies, the concerned Authorities shall ensure that the building is not an unauthorized building. In view of the aforesaid circular dated 20.11.2013, in our considered view, the main grievance of the petitioner has been redressed.

4. As regards the contention raised in the petition that there are large number of unauthorized buildings in which cooperative societies are being run, it is open for the petitioner to file appropriate representation/complaint before the Competent authority. On receipt of such complaint/representation, the competent authority shall examine the same and take appropriate decision in accordance with law.

5. With the aforesaid observations, petition is disposed of.

(PRAKASH D. NAIK, J.)

(SHANTANU KEMKAR, J.)