

DSS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11311 OF 2012

Panchpakhadi Manobal Co-op. Hsg. Society ... Petitioner
Vs.
The State of Maharashtra and ors. ... Respondents

Mr. Dinesh W. Bhosale, for the Petitioner.
Ms Sushma Bhende, AGP for Respondent Nos.1 to 3.
Mr. Kashyap Bhaurao for Respondent No.4.

**CORAM : S.C. DHARMADHIKARI &
M. S. SONAK, JJ.**
DATE : 11 FEBRUARY 2016.

P. C.

1] Having heard both sides, we are of the view that the Writ Petition is not a remedy for the Petitioner and particularly to take the records back from a person namely Respondent No.4, who was according to the Petitioner, at one time the Secretary of the Cooperative Housing Society.

2] If the Petitioner has a grievance and has also approached the local Police Station, then we do not see how in writ jurisdiction, we can direct any Authority under the Maharashtra Cooperative Societies Act, 1960 (said Act) to take

steps as are desired by the Petitioner. The Petitioner relies upon Section 80 of the said Act. However, the Advocate appearing for Respondent No.4 has pointed out that there is a proceeding under Section 91 of the said Act, pending in the competent Cooperative Court.

3] In these circumstances and in a disputed issue, we are not inclined to entertain the Writ Petition. The Petitioner may either pursue remedy under Section 91 of the said Act or may take such steps as available under the law. The Writ Petition is devoid of merits and is therefore, dismissed.

[M. S. SONAK, J.]

[S.C. DHARMADHIKARI, J.]