

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.2642 OF 2017

**Shree Swami Samarth Developers
a partnership firm,
represented through partner**

Shri Vaibhav Kokate

: Petitioner.

Versus

**Assistant Registrar,
Co-operative Societies, S -Ward, Mumbai
and ors.**

: Respondents.

Mr. R R Salvi i/by Mr. Sameer K Sawant for the Petitioner.

Mr. Dipak Mane for the Respondent No.3

**Mr. Akshay Patil i/by Mr. Mayur Thorat for the Respondent Nos. 2 and 4 to
19.**

**CORAM : R. M. SAVANT &
SARANG V KOTWAL, JJ.**

DATE : 08th November 2017

P.C.

1 The order dated 21/08/2017 passed by the Assistant Registrar, Co-operative Societies, S-Ward, Mumbai informing the Petitioner that it has been removed as Developer for carrying out the re-development of the property in question is taken exception to by way of the above Petition.

2 In our view, against the said order, a Revision under Section 154 of the Maharashtra Co-operative Societies Act would lie before the Revisionary Authority and hence it is not necessary to entertain the above Petition. By relegating the Petitioner to the said remedy by way of a Revision, the above Writ Petition is disposed of. It is clarified that this Court has not gone into the

legality or otherwise of the letters both dated 12/09/2017 of the Municipal Corporation for Greater Mumbai annexed to the above Writ Petition at Exhibit-I and Exhibit-J and that it would be for the Petitioner to take appropriate recourse against the said letters.

[SARANG V KOTWAL, J]

[R.M.SAVANT, J]