

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 1988 OF 2019

Shivam Tukaram Mahadik and Ors.

... Petitioners

V/s.

Assistant Registrar, Co-op. Soc.,
Mumbai and Ors.

... Respondents

None for the Petitioners

Mr. R.P. Kadam, AGP for the Respondents 1 and 2

***CORAM : NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.***

DATE : 09 NOVEMBER 2023

P.C. :-

None for the Petitioners.

2. Till date copy is not supplied for service upon the Respondent No.3. It is the Respondent No.3 against whom allegations are made that he has purchased immovable property of the society by violating the provisions of law. The Writ Petition stands dismissed as against the Respondent No.3. The Petitioners, who are members of the society have raised various grievances in

respect of the functioning of the society. The Co-operative Society is also not joined as party Respondent. The prayers are divergent, ranging from refund of amount; directions to conduct investigation to the concerned police station; setting aside the sale deed entered into between the private party, etc.

3. Clearly these reliefs will not be granted in this jurisdiction. If the Petitioners have a cause against the functioning of the Co-operative Society, the Petitioners - members have their remedy open under the Act of 1960. As regard the investigation, the Petitioners would have their remedy open. For setting aside the sale deed. action would have to be taken in the appropriate case. In the light thereof, keeping contentions of the above parties open to be agitated in the appropriate forum, the Writ Petition is disposed of.

MANJUSHA DESHPANDE, J.

NITIN JAMDAR, J.

JYOTI
PRAKASH
PAWAR

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