

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

**WRIT PETITION NO.6021 OF 2023**

Shree Ganesh CHS Ltd.

.....Petitioner

Versus

Uttam Baban Chikane  
and others

.... Respondents

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Dr. Uday P. Warunjikar, Advocate for the Petitioner.

Mr. P.A. Pol, Advocate for Respondent Nos.1 & 2.

Mr. S.D. Rayrikar, AGP for the Respondent No.3-State.

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**CORAM : SARANG V. KOTWAL, J.**

**DATE : 3<sup>rd</sup> MAY, 2023**

**P.C. :**

1. The Petitioner society has challenged the order dated 13.4.2023 passed by the Joint Registrar, Co-operative Societies, CIDCO, Navi Mumbai. Learned AGP pointed out that the alternate, proper and efficacious remedy would be to file an appeal under Section 152 of the Maharashtra Co-operative Societies Act, 1960 (for short, 'MCS Act').

2. Dr. Warunjikar appearing for the society states, on instructions, that the Petitioner will exhaust that remedy. The statement is recorded. He requests that in the meantime the *status quo*, as of today, may be continued.

3. Shri Pol appearing for the Respondent Nos.1 & 2 questions the locus of the Petitioner society to challenge that order.

4. Since the Petitioner society intends to file appeal under Section 152 of the MCS Act, even the question of locus can be argued in that proceedings. Both the sides can put forth their case on merits, including the maintainability, locus etc. in the proposed proceedings. All the questions raised by both the sides are specifically left open.

5. However, for a period of two weeks from today, the *status quo* as of today shall be maintained. All further orders can be obtained by either of the parties in the proposed proceedings to be filed under Section 152 of the MCS Act. Considering the urgency that the bank account of the society is freezed, the Hon'ble Minister is requested to take up this matter urgently and pass necessary urgent orders.

6. The Petition is disposed of accordingly.