



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8314 OF 2023

Sagar Sahakari Griha Rachana

Sanshta Maryadit

...Petitioner

Versus

Abhijeet Apartments Condominium And Ors

...Respondents

Prashant G. Karande a/w Sudam S. Patil i/b Ajit S. Hodage for
Petitioner.

S.S. Panchpor a/w G.D. Tamboli for Respondent No.1.

Mr. A.P. Vanarase, AGP for the State.

CORAM: N. R. BORKAR, J

DATED: 21 JULY, 2023

PC:-

1. By the order impugned the respondent No.3 – The Divisional Joint Registrar, Co-operative Societies, rejected the Revision Application filed by the petitioner-Society against the order passed by the respondent No.2 – The Deputy Registrar, Co-operative Societies, by which the respondent No.2 directed the present petitioner to accept the respondent No.1 as it's members from 03/11/2020.

2. The learned counsel for the petitioner submits that the appeal/application filed by the respondent No.1 before the respondent No.2 was contested on the various grounds. It is submitted that the respondent No.2, however, while deciding the appeal/application has not at all considered the said grounds. It is

submitted that the matter, thus needs to be remanded back to the respondent No.2

3. I have perused the impugned orders. There is a substance in the submission of the learned counsel for the petitioner. The orders impugned are, therefore, quashed and set aside. The matter is remanded back to the respondent No.2 - the Deputy Registrar for deciding it afresh.

4. Considering the facts and circumstances of the case, respondent No. 2- the Deputy Registrar shall endeavour to decide the appeal/application as early as possible and in any case within a period of 4 months from the receipt of the copy of this order.

5. Writ petition is disposed of.

6. All the contentions of the parties are kept open.

(N. R. BORKAR, J.)