

Arjun

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

WRIT PETITION NO.10447 OF 2023

Kavita Vishnu Shivdasani

...Petitioner

V/s.

The Divisional Joint Registrar,
Co-operative Societies, Pune & Ors.

...Respondents

Mr. Sahil Mahajan, for the Petitioner.

Smt. M. S. Srivastava, AGP, for the Respondent-State.

**CORAM : MADHAV J. JAMDAR, J.
DATED : AUGUST 29, 2023**

P.C.:

1. Heard Mr. Mahajan, learned counsel appearing for the Petitioner.

2. The impugned order in the present Writ Petition is the order dated 4th February 2021 passed by the learned Deputy Registrar, Co-operative Societies, Pune City (2), Pune, by which the recovery certificate is issued against the Petitioner as well as the order dated 28th June 2023 passed by the learned Divisional Joint Registrar, Co-operative Societies, Pune Division, Pune in Revision Application No.109 of 2021 filed under Section 154 of the Maharashtra Co-operative Societies Act, 1960.

3. Both the Authorities after considering the material on

record have come to the conclusion that the Petitioner has defaulted in payment of maintenance charges to the Respondent No.3-Society. The recovery certificate is issued on 4th February 2021 for an amount of Rs.3,79,309/-. The said order is confirmed by the learned Divisional Joint Registrar, Pune Division, Pune.

4. The Petitioner has relied on resolution No.13 which was passed on 6th May 2007. The said resolution is pertaining to the maintenance charges for the year 2007-2008. The society has sought Recovery Certificate for the period upto 30th November 2018.

5. Both the Authorities have recorded that the Petitioner has failed to pay the monthly maintenance charges. Mr. Mahajan, learned counsel appearing for the Petitioner failed to point out any perversity in the impugned orders.

6. Therefore, this is not a case where, interference by this Court under Article 227 of the Constitution of India is warranted. Accordingly, the Writ Petition is dismissed, however, with no order as to costs.

[MADHAV J. JAMDAR, J.]