

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

WRIT PETITION NO. 1888 OF 2023

Jaspal Kaur Jaswant Singh Mokha & Ors. ... Petitioners

versus

State of Maharashtra & Ors. ... Respondents

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Ms.Reshma Nair i/b. Mr.Devmani Shukla for the Petitioners.

Mr.Manish Upadhye, AGP for the State.

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**CORAM : NITIN JAMDAR &
SANDEEP V. MARNE, JJ.**

DATE : 2 AUGUST 2023

P.C.:

A grievance of the Petitioners is that Respondent No.2- the Deputy Registrar, Co-operative Societies is not acting on the communication issued by the Advocate for the Petitioners in respect of the transfer of share certificates in the names of the Petitioners by Respondent No.3- Co-operative Housing Society.

2. What is annexed to the petition is a legal notice issued by Advocate for the Petitioners. Under section 22 (2) of the Maharashtra Co-operative Societies Act, 1960 (the Act of 1960), the Deputy Registrar will have power to issue necessary direction for which there has to be an application and the legal notice will not suffice.

3. Faced with this position, the learned Counsel for the Petitioners states that necessary application would be made to the Deputy Registrar invoking the power under section 22 (2) of the Act of 1960. Once such application is made, the Deputy Registrar will look into the issue at the earliest and decide the same as per law.

4. Since we have not issued notice to the concerned Co-operative Housing Society, all contentions of the parties are kept open.

5. The Writ Petition is accordingly disposed of.

(SANDEEP V. MARNE,J.)

(NITIN JAMDAR,J.)