

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

WRIT PETITION NO.2315 OF 2024

Revati Niwas Co-op. Housing Society Ltd.]
Through Mr. Anil Trilokchand Jain, Chairman] .. Petitioner

Versus

1. Shashikant Jaganath Wadke (*Since Deceased*)]
Through Legal Heirs :-]
1.1 Rohini Shashikant Wadke]
1.2 Kedar Shashikant Wadke]
1.3 Aarti Manoj Kalekar]
1.4 Samrudhi Suresh Dandekar]
1.5 Hemraj Digambar Wadke]
2. The State of Maharashtra,]
Through Principal Secretary,]
Ministry of Cooperation, Marketing and]
Textile, Government of Maharashtra]
3. The Divisional Joint Registrar of]
Co-operative Societies, Navi Mumbai.]
4. Assistant Registrar of Co-operative Societies,]
Bhiwandi, Dist. Thane.] .. Respondents

Mr. Raj Chourasia, i/by Ms. Sharayu Shinde, for the Petitioner.
Mr. Girish Agarwal, i/by Ms. Dakshata Dupare and Ms. Kajal Chari, for
Respondent Nos.1.1 to 1.5.
Mr. N.C. Walimbe, Addl. G.P., with Mr. A.R. Deolekar, AGP for the
Respondent-State of Maharashtra.

**CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ**

DATE : 15TH MARCH, 2024.

ORAL JUDGMENT : { Per A.S. Chandurkar, J. }

1. RULE. Rule made returnable forthwith and heard learned counsel for the parties.
2. The legal heirs of respondent no.1 had approached the Divisional

Joint Registrar of Co-operative Societies by filing an application under Section 21 of the Maharashtra Cooperative Societies Act, 1960 seeking to challenge the registration that was granted in favour of the petitioner – a Co-operative Housing Society. By the order dated 1st December 2023, the registration of the petitioner-Society has been cancelled and consequential orders have been passed. Being aggrieved, the petitioner-Society has filed an appeal under Section 152 of the said Act of 1960 before the State Government. The petitioner prays for expeditious consideration of the said appeal.

3. Considering the aforesaid facts, the following directions would serve the ends of justice :-

- (i) The respondent no.2 shall consider the stay application preferred by the petitioner-Society on its own merits and decide the same within a period of three weeks from today.
- (ii) Within a further period of eight weeks from that date, the appeal shall be considered and decided on its own merits.
- (iii) Keeping all points raised by the parties open, the writ petition is disposed of with aforesaid directions. Rule accordingly.

[JITENDRA JAIN, J.]

[A.S. CHANDURKAR, J.]