

*Shabnoor*

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

**WRIT PETITION NO.5061 OF 2022**

Praful Singh ... Petitioner  
V/s.  
Chairman Secretary  
Sairaj Garden Cooperative Housing  
Society Ltd. & Ors ... Respondents

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Mr. Ashok M. Saraogi, for Petitioner.

Mr. Kartik Gantha i/by Mr. Omkar Mohan Khanvilkar,  
for Respondent No.1.

Mr. S. D. Rayrikar, AGP for State/Respondent Nos.2 &  
3.

**CORAM : AMIT BORKAR, J.**

**DATED : MAY 7, 2024**

**P.C.:**

1. Challenge in this writ petition is to the order passed by the Assistant Registrar in exercise of power under Section 101 of the Maharashtra Cooperative Societies Act, 1960. The petitioner has alternative statutory remedy by way of revision under Section 154 of the Maharashtra Cooperative Societies Act, 1960. Therefore, by keeping all questions raised in the present petition open to be agitated before the Revisional Authority.

2. The writ petition is disposed of with liberty to the petitioner to adopt statutory remedy.

3. It is made clear that the period spent in prosecuting the present writ petition shall be excluded while considering limitation of revision application.
4. If the petitioner had deposited any amount after issuance of certificate under Section 101 of the Maharashtra Cooperative Societies Act, 1960 credit of that amount shall be given to the petitioner by the Revisional Authority while considering compliance of Section 154(2)(a) of the Maharashtra Cooperative Societies Act, 1960.
5. With this, the writ petition stands disposed of.

**(AMIT BORKAR, J.)**