

VRJ

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

WRIT PETITION NO.6539 OF 2024

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RAMESH
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Keshvi Developers Pvt. Ltd.

... Petitioner

V/s.

The Deputy Registrar C.S., "P" Ward,
Mumbai & Ors.

... Respondents

Mr. Atul Damale, Senior Advocate i/by Mr. Prashant P.
Kulkarni for the petitioner.

Ms. V. S. Nimbalkar, AGP for the State/respondent
Nos.1 and 2.

Mr. Zain Mookhi i/by Mr. Rahul Karnik for respondent
No.3.

CORAM : AMIT BORKAR, J.

DATED : MAY 6, 2024

P.C.:

1. By the impugned order, the revisional authority has refused to grant stay to the order passed by the Deputy Registrar Cooperative Societies approving developer appointed by respondent No.3 to carry out redevelopment of the building owned by respondent No.3.

2. Prima facie the reason assigned by the revisional authority that 29 members out of 32 members have approved the name of the developer is in tune of democratic principles of the cooperative

societies. Prima facie, non-compliance with Clause 16 of the directions issued under section 79(A) of the Maharashtra Cooperative Societies Act, 1960 without anything more is not sufficient for the petitioner to make out a prima facie case, particularly in view of the fact that the sister entity of petitioner had participated in the proceedings and was disqualified in the same proceeding. Hence, I do not find any illegality in the impugned order. However, the revisional authority shall decide the revision application uninfluenced by the reasons assigned by this Court in the present order.

3. The revisional authority is directed to decide the revision application within eight weeks' from today.
4. Parties shall appear before the revisional authority on 13 May 2024 at 10:30 a.m.
5. The writ petition stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)