

Shabnoor

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

WRIT PETITION NO.282 OF 2020

Asad Ahmed Khan S/o Abdus Samad
Khan

... Petitioner

V/s.

The District Deputy Registrar – 2,
& Ors

... Respondents

Ms. Geeta Gianchandnani i/by Ms. M. J. Reena
Rolland, for Petitioner.

Mr. Satyam R. Dubey, for Respondent Nos. 4 & 5.

Mr. S. D. Rayrikar, AGP for State/Respondent Nos.1, 2
& 6.

CORAM : AMIT BORKAR, J.

DATED : MARCH 27, 2024

P.C.:

1. Challenge the petitioner is as a member of the Cooperative Housing Society. On 21 May 2015, the Assistant Registrar has issued certificate under Section 101 of the Maharashtra Cooperative Societies Act, 1960. The petitioner challenged the certificate by way of Revision Application bearing No.1824 of 2019.

2. The District Deputy Registrar by the impugned order rejected the Revision Application for non-compliance of provisions under Section 154 (2A) of the Maharashtra Cooperative Societies Act,

1960.

3. According to the petitioner, he has deposited Rs.4,60,000/- with the respondent No.4 / society on 5 July 2018. Considering the nature of scheme of Section 154 (2A) of the Maharashtra Cooperative Societies Act, 1960, it is for the District Deputy Registrar to satisfy itself about the compliance of Section 154 (2A) of the Maharashtra Cooperative Societies Act, 1960. The District Deputy Registrar shall consider the total recoverable dues under Section 101 of the Maharashtra Cooperative Societies Act, 1960 on the date of filing of Revision Application.

4. Considering the date of filing of Revision Application, the District Deputy Registrar shall adjudicate afresh on the point of 50% of recoverable dues are already deposited by the petitioner. If it is found to be less than 50% of recoverable dues as contemplated under Section 154 (2A) of the Maharashtra Cooperative Societies Act, 1960, the District Deputy Registrar shall permit the applicant to deposit the dues to bring it in consonance of 50% amount within the specified period and on deposit of 50% amount, he shall decide the revision under the scheme of Section 154 (2A) of the Maharashtra Cooperative Societies Act, 1960 on its own merits.

5. Parties to appear before the District Deputy Registrar on **8 April 2024 at 10:30 a.m.**

6. The writ petition stands disposed of accordingly.

(AMIT BORKAR, J.)