

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12266 OF 2024

Ramchandra Navlu Zore	... Petitioner
Versus	
The State of Maharashtra through GP and ors.	... Respondents

Mr. Manoj Jaiswal, Advocate for the Petitioner.
Mr. Y. D. Patil, AGP for Respondent Nos.1 and 2.
Ms. Tanaya Goswami, Advocate for Respondent No.3-SRA.

CORAM : R. M. JOSHI, J.
DATED : 27th SEPTEMBER, 2024.

P.C. :

1. Heard.
2. Learned counsel for the petitioner submits that Section 154B(2) of the Maharashtra Co-operative Societies Act, 1960 (for short “the Act”) specifically excludes the application under Section 73CA of the Act. It is his submission that if it is so, the question of application of Section 73CA(1)(vii) of the Act to the present case does not arise. The order impugned indicates that for the reason for petitioner having more than two children, he is held to be disqualified from becoming a committee member of the society. The petitioner, therefore, has made out arguable case. Hence, issue notice to the respondents returnable on 19th November 2024.

3. Till the next date of hearing, there shall be stay to the impugned order.

SHUBHADA SHANKAR KADAM Digitally signed by SHUBHADA SHANKAR KADAM
Date: 2024.09.27 18:56:16 +0530

4. Mr.Patil, learned AGP waives service on behalf of respondent Nos.1 and 2 and Mr.Goswami, learned counsel waives service on behalf Respondent No.3-SRA.

(R. M. JOSHI, J.)