

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14996 OF 2024.

AND

WRIT PETITION NO. 16514 OF 2024.

AND

WRIT PETITION NO. 16515 OF 2024.

AND

WRIT PETITION NO. 16517 OF 2024.

Saraf Kaskar Industrial Premises Cooperative Society ...Petitioner.
Ltd

Versus

The District Deputy Registrar Co-opertive Societies ...Respondents.
And Anr

Mr. Nikhil Dongre a/w Omkar Kudale for the Petitioners.

Ms. V. R. Raje AGP for the Respondent-State.

Coram : Sharmila U. Deshmukh, J.

Date : December 9, 2024.

P. C. :

1. Heard.
2. The rejection of the application under Section 154 B-29 of MCS Act, is in dispute in the present case. The Application has been rejected by holding that though it appears certain arrears however the documents on record does not conclusively established the quantum of arrears.
3. Learned Counsel appearing for the Petitioner would submit that the Competent Authority was tasked with the duty to

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ascertain the quantum on the basis of the documents which had come on record which more than sufficiently establishes the quantum of arrears. He submits that having held that the Respondent No. 3 was in arrears it was then not open for the Competent Authority to decline to exercise jurisdiction on the ground of quantum.

4. Issue notice to the Respondents returnable on **20th January, 2025**. In addition to Court notice, advocate for the Petitioner to serve the Respondents by private notice by all possible modes of service and file affidavit of service before the next date. Learned AGP waives notice for Respondent Nos. 1 and 2.

5. All the above petitions are tagged together as the common issue arises.

[Sharmila U. Deshmukh, J.]