

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.158 OF 2024
WITH
INTERIM APPLICATION (L) NO.34592 OF 2023

Madhuri A. Patel

....PETITIONER

V/S

Deputy Registrar of Co-operative
Societies P-Ward Mumbai & Anr.

....RESPONDENTS

...

Mr. Piyush Raheja i/b Mr. Nirav Shroff for the Petitioner.

Mr. Manish Upadhye, AGP for Respondent No.1/State.

Mr. Ashok M. Saraogi – Respondent No.2 – in person.

...

CORAM: SANDEEP V. MARNE, J.

DATE : FEBRUARY 02, 2024.

P.C.:

1 Mr. Raheja appearing for the Petitioner would place reliance on the judgment of the Apex Court in ***Vipulbhai M. Chaudhary vs. Gujarat Co-operative Milk Marketing Federation Limited***, AIR 2015 SC 1960 which directs that a motion of no confidence against an office bearer of the Society shall ordinarily be moved only after two years of his assumption of office. It appears that despite the directions of the Apex Court, Section 73(1)(d) of the Maharashtra Co-operative Societies Act, 1960 is yet to be amended to bring the same in tune with the above directives of the Apex Court. In fact the Apex Court has observed in the judgment that it is for the State Government to appropriately modify and give statutory shape to its directives.

2 The learned AGP seeks time to take instructions. List the Petition on 6 March 2024.

(SANDEEP V. MARNE, J.)