



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

2 WRIT PETITION NO. 2335 OF 2023

CHITRALEKHA CHANDRASEN PAWAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

...

Mr. V.D. Hon, Senior Counsel i/b. Mr. Ashwin V. Hon – Advocate for
Petitioner

Mr. K.B. Jadhavar – AGP for Respondent Nos.1 and 2, State

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 08.12.2025

PER COURT :

1. Heard learned Senior Counsel – Mr. V.D. Hon assisted by Mr. Ashwin Hon, for the petitioner and learned A.G.P. for respondent Nos.1 and 2, State.

2. The present petitioner challenges the order dated 03.10.2022 passed by respondent No.2, the Deputy Registrar, Co-operative Society, Aurangabad, whereby the three applications filed by the petitioner on 01.01.2013, 30.08.2021 and 28.10.2021 were disposed of, directing the petitioner to file appropriate proceedings.

3. Learned Senior Counsel for the petitioner pointed out that the Deputy Registrar passed the order pursuant to the directions issued by

this Court to decide the applications. It is further submitted that the Deputy Registrar has mentioned the provisions under which jurisdiction has been exercised.

4. I have gone through the order passed by the Deputy Registrar, Aurangabad, whereby upon considering the applications dated 01.01.2013, 30.08.2021 and 28.09.2021, it has observed that the issues raised therein can be considered by the Co-operative Court under Section 91 of the Maharashtra Co-operative Societies Act, 1960.

5. I am of the view that, all the issues raised pertain to the business of the society. Therefore, the proceedings under Section 91 of the Maharashtra Co-operative Societies Act are maintainable and the petitioner can avail the remedy by filing a dispute under Section 91 of the Act before the Co-operative Court.

6. In that view of the matter, the present petition is disposed of as not maintainable.

7. If the petitioner files dispute, the learned Co-operative Court shall decide the same in accordance with law.

8. The delay caused in prosecuting the present petition shall be taken into consideration by the Co-operative Court while considering the application for condonation of delay.

9. The petitioner is at liberty to file the dispute within a period of six (6) weeks from today. Thereafter, the learned Judge, Co-operative Court, Aurangabad shall decide the dispute within a period of one (1) year from today.

10. All the issues are kept open.

[SIDDHESHWAR S. THOMBRE]
JUDGE

Pooja Kale/