

Shabnoor

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

WRIT PETITION NO.192 OF 2025

Hanuman Vividh Karyakari Society
V.K.S. Maryadit ... Petitioner
V/s.
The Joint Registrar
Cooperative Societies, Kolhapur & Ors. ... Respondents

Mr. Tanaji Mhatugade, for petitioner.

Mrs. Savita A. Prabhune, AGP for State – respondent.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 13, 2025

P.C.:

1. The petitioner is challenging an order passed by the Authorities under the Maharashtra Cooperative Societies Act, 1960 (“MCS Act”) rejecting the petitioner’s proposal for the disqualification of members of the managing committee of the petitioner–society as disqualified by virtue of the society’s bye-law. This bye-law contemplates the disqualification for absence of committee members in three consecutive meetings.

2. The First Authority (Assistant Registrar) recorded a finding that there is a serious dispute regarding the receipt of notice and the authenticity of the signatures on the proceedings. It is stated that, on oath, the members sought to be disqualified on the grounds of a substantial dispute concerning both the validity of

their signatures on the proceedings and the receipt of notice of the meetings. In light of the evidence adduced, the Assistant Registrar, exercising due discretion and in accordance with the statutory framework, rightly directed the society to file the dispute under Section 91 of the MCS Act for seeking action of deemed disqualification against two managing committee members of the petitioner–society. This measure was deemed necessary to preserve the integrity of the electoral process within the society. The said order was subsequently challenged by the petitioner before the Revisional Authority.

3. The Revisional Authority, after a careful scrutiny of the submissions and the evidence on record, has rightly confirmed the order passed by the Assistant Registrar as the matter involves a serious dispute concerning the rights of the elected members, thereby necessitating adherence to the statutory procedure. In view of the foregoing, the instant petition lacks merit. Accordingly, the petition is dismissed, and no costs are awarded.

(AMIT BORKAR, J.)