

Shabnoor

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

WRIT PETITION NO.2278 OF 2024

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AYUB
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Savita Sadashiv Lad

... Petitioner

V/s.

The Divisional Joint Registrar,
Cooperative Housing Society & Ors.

... Respondents

Mr. Dushyant Pagare, for the Petitioner.

Mr. Jyotiram S. Yadav, for respondent No.4.

Mr. J. P. Patil, AGP, for the State – respondent Nos.1 to 3.

CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 11, 2025

P.C.:

1. The present petition arises out of the proceedings initiated under Section 101 of the Maharashtra Co-operative Societies Act, 1960 (“the MCS Act”) in relation to a housing society. The principal contention urged on behalf of the petitioner is that she came into possession of the premises in dispute only in the year 2018, whereas the recovery of maintenance charges claimed by the society pertains to the period from 2014 to 2018.

2. Learned Advocate for the petitioner has invited my attention to the grounds raised before the Revisional Authority, wherein it has been specifically contended that the petitioner came into possession of the premises only in 2018 and prior thereto she was not even a member of the society. Therefore, in my opinion, the

said contention raised by the petitioner requires reconsideration by the Revisional Authority, as it appears that the same has not been adjudicated upon in the impugned order. Hence, the impugned order dated 14th August 2023 passed by the Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai in Revision Application No. 28 of 2022 is hereby quashed and set aside.

3. Revision Application No. 28 of 2022 is restored to the file of the Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai.

4. The parties shall remain present before the Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai on **24th November 2025 at 10:30 a.m.**

5. The Divisional Joint Registrar shall adjudicate upon the contentions raised on behalf of the petitioner after considering the material and documents produced on record by both parties.

6. The Authority shall decide the said revision within a period of three weeks from the date of appearance of the parties.

7. The Divisional Joint Registrar shall also adjudicate upon the grievance relating to the petitioner's membership, specifically as to whether she is the legal representative of the former member of the society.

(AMIT BORKAR, J.)