

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

CIVIL WRIT PETITION NO. 5870 OF 2024

Anandbhuvan Co-Op. Hsc. Soc. Ltd.

..Petitioner

Versus

Divisional Joint Registrar Co-Op. Societies & Ors.

..Respondents

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Mr. Shailendra S. Kanetkar for Petitioner.

Mrs. V. S. Nimbalkar, AGP for State/ Respondent Nos.1 & 2.

Mr. Prashant Darandale for Respondent No.3.

CORAM : AMIT BORKAR, J.

DATE : 06 NOVEMBER 2025

PC :

1. Rule. Rule is made returnable forthwith with consent of the parties.
2. The challenge in this petition is to the order of the Revisional Authority whereby the delay of about eleven months in filing an application for restoration of the revision came to be condoned. The said revision was directed against the order confirming the membership of Respondent No.1.
3. The record shows that the Revisional Authority had dismissed the revision for default on 04 November 2019. The petitioner thereafter filed an application for its restoration in January 2021. The petitioner explained that an Administrative Committee was appointed to manage the affairs of the society on 09 October 2019. Soon thereafter, in March 2020, the Covid-19

pandemic began, due to which administrative work in cooperative offices was severely affected. It was submitted that, if the intervening period of the pandemic is excluded, the effective delay in moving the restoration application is about four months.

4. Having regard to the peculiar facts of this case, this explanation deserves acceptance. The appointment of the Administrative Committee just before the pandemic is a circumstance supported by record. The functioning of cooperative offices during the pandemic was disrupted, which is a matter of public knowledge and cannot be ignored. The delay cannot, therefore, be treated as deliberate or negligent. The explanation appears bona fide and supported by credible circumstances. However, to balance equities and to compensate the Respondent No.3 for the delay, it is appropriate to impose costs of Rs.5000/-.

5. Accordingly, in view of the reasons stated above, the writ petition is allowed. The delay in filing the application for restoration of the revision stands condoned.

6. Rule is made absolute in terms of prayer clause (a), subject to the petitioner paying costs of Rs.5000/- to Respondent No.3 within four weeks from today.

7. It is clarified that if the petitioner fails to pay the said amount within the stipulated time, the impugned order shall stand confirmed without further reference to this Court.

8. As the dispute regarding membership has been pending for a considerable time, the Revisional Authority shall proceed to decide the revision on its own merits within eight weeks from the date of appearance of the parties. The parties shall appear before the Revisional Authority on 24 November 2025, without waiting for further notice.

9. The Writ Petition is disposed of.

(AMIT BORKAR, J.)