

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12549 OF 2024

Veena Geet Sangeet Gangotri
Yamnotri Co-operative Housing
Society Limited

... Petitioner

V/s.

Divisional Joint Registrar
Cooperative Societies and ors.

... Respondents

Mr. Jairam D. Chandnani with Ms. S. Warang, Advocates for the Petitioner.

Mr. Y. D. Patil, AGP for the Respondents No.1 and 2/State.

Mr. Nikhil Rajeshirke, Advocate for the Respondent No.3.

CORAM : SANDEEP V. MARNE, J.

Dated : 04 February, 2025.

PC. :

1. The Petition challenges order dated 24th July, 2024 passed by the Divisional Joint Registrar, Co-operative Societies, Mumbai dismissing the Revision Application filed by the Petitioner-society and confirming the order dated 9th January, 2024 passed by the Deputy Registrar, Co-operative Societies R/S Ward, Mumbai appointing an authorized officer for conduct of inspection of records of the society under provisions of section 89A(1) of the Maharashtra Co-operative Societies Act, 1960.

2. It appears that the order dated 9th January, 2024 was partly modified by order dated 15th February, 2024 by appointing certified Auditor for

conduct of inspection instead of the earlier appointed authorized officer. In pursuance of orders dated 9th January, 2024 and 15th February, 2024, the Inspecting Officer has conducted the inspection and submitted report dated 3rd October, 2024.

3. In that view of the matter, nothing would survive in the present petition since the inspection is already complete. It appears that based on the inspection so conducted, further action is initiated against the society and its Managing Committee under provisions of Sections 75(5) and 78A of the Act. It is for the Petitioner-society and its Managing Committee to participate in the said proceedings and defend themselves. If any adverse order is passed against them under provisions of Sections 75(5) and 78A of the Act, the society and its Managing Committee would be at liberty to challenge the same in appropriate manner.

4. All contentions of the parties on the merits of the case are expressly kept open.

5. The Writ Petition is disposed of.

(SANDEEP V. MARNE, J.)