

Shabnoor

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

WRIT PETITION NO.2132 OF 2025

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Vijay S Khandekar & Ors. ... Petitioners
V/s.
The State of Maharashtra Through
Minister for Cooperation & Ors. ... Respondents

Mr. G. N. Salunke with Mr. Amol Laxman Dhumal for
petitioners.

Ms. Kavita N. Solunke, AGP for State – respondent.

Mr. Umesh Kurund for respondent No.4.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 13, 2025

P.C.:

1. Issue notice to respondents, returnable on **27 March 2025**.
2. On perusal of the report under Section 88 of the Maharashtra Cooperative Societies Act, 1960 ("MCS Act"), it is evident that the Authorised Officer under Section 88 of the MCS Act, had specifically directed to recover an amount from the funds of the society. However, the Registrar while exercising power under Section 85 of the MCS Act, declared that the managing committee liable for costs personally. With the result, the managing committee members become disqualified under the Act. Therefore, the order declaring the managing committee personally responsible under Section 85 needs to be stayed.

3. Hence, till the next date, there shall be ad-interim relief in terms of prayer clause (d).

(AMIT BORKAR, J.)