

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3784 OF 2025

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GANESH
KULKARNI

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Date: 2025.03.21
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Jai Radha Swami Coop.
Housing Society Limited

... Petitioner

V/s.

Divisional Joint Registrar of
Coop. Societies & Ors.

... Respondents

Mr. Prashant P. Kulkarni for the petitioner.

Mr. O.A. Chandurkar, Additional G.P. with Smt. G.R.
Raghuwanshi, AGP for the State.

CORAM : AMIT BORKAR, J.

DATED : MARCH 20, 2025

P.C.:

1. Issue notice to the respondent No.3, returnable on **15 April 2025**.
2. Prima facie, appeal under Section 152 against an order of appointment of Observer under Section 79A is not maintainable. Moreover, redevelopment process has to be conducted by the Society after holding a general body meeting. Minority of members is not entitled to throttle the process of redevelopment by instituting proceedings under the provisions of the Maharashtra Cooperative Societies Act, 1960.
3. Hence, until further orders, the impugned order dated 1 August 2023 shall remain stayed.

(AMIT BORKAR, J.)