

Amk

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4275 OF 2025

Brahma Suncity Co op Housing Society
Ltd. through Chairman Mrs. Pushpa
Nair

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Jaydeep S. Deo i/b Onkar Gawade for the Petitioner.

Mr. O. A. Chandurkar, Addl GP a/w. Ms. Tanu N. Bhatia, AGP for
Respondent Nos.1 to 3-State.

CORAM : AMIT BORKAR, J.

DATED : APRIL 3, 2025

PC.:

1. It appears that the petition arises out of report under Section 83(3) of the Maharashtra Co-operative Societies Act. Though the report holds the managing committee personally liable for alleged loss, it is the society who challenged the report by way of filing revision application. On revision application being dismissed, it is the society who has filed the present petition.

2. Since the petition arises out of an inquiry under Section 83 of the Maharashtra Co-operative Societies Act, it *prima facie* holds the managing committee liable, only aggrieved persons can be management committee members in their personal capacity and not the society. Therefore, the society had no locus and could not have been treated as aggrieved against the report under Section 83

of the Maharashtra Co-operative Societies Act which holds managing committee members personally liable. Therefore, the petition at the instance of society is not maintainable. The petition is, therefore, **dismissed**. No order as to costs.

(AMIT BORKAR, J.)