

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5914 OF 2025

Sandeep Bhaskar Naik

... Petitioner

Versus

The Deputy Registrar of the Co-op Housing Societies & ... Respondents
Anr.

.....

Dr. Dhanalakshmi S. Krishna Iyer i/b Mr. C. M. Lokesh for the Petitioner.
Ms. Reena A. Salunkhe, AGP for Respondent No.1.
Mr. Sujit S. Nikam for Respondent No.2.

CORAM : **M. S. KARNIK AND**
N. R. BORKAR, JJ.
DATED : **16th JULY, 2025.**

P.C. :

1. Heard learned counsel for the petitioner and learned counsel for the respondent No.2-Society.
2. By an order dated 09.03.2015 the appeal preferred by the petitioner under Section 22(2) of the Maharashtra Co-op Society Act, 1960 was allowed. It was directed that the petitioner be given all the rights as a member. The learned counsel for the petitioner submitted that in defiance of the said order the respondent No.2-Society has passed the impugned resolution suspending the membership of the petitioner till legal proceedings are over.
3. Learned counsel for the respondent No.2-society submitted that the order dated 09.03.2015 is the subject matter of the challenge before the Divisional Joint Registrar. There is no stay in operation. The Divisional

Joint Registrar may proceed with the hearing of the appeal on its own merits and in accordance with law.

4. However, in the face of the order dated 09.03.2015 passed by the Deputy Registrar, the impugned resolution dated 02.03.2015 of the society is complete overreach of the order more so when the appeal has been preferred and is pending before the Divisional Joint Registrar against the order passed by the Deputy Registrar. The impugned resolution dated 02.03.2025, therefore, not to be acted upon till the decision in appeal and the same is made subject to the outcome of the appeal.

5. The petition is disposed of.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)