

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

WRIT PETITION NO. 7369 OF 2025

Green Field Rocks End Chsl

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Mohit Khanna a/w Mr. Rutyparn Deo i/b Mr. Aditya Lele, for Petitioner.
- Ms. P.S. Deshmukh, AGP for Respondent Nos.1 to 3.
- Mr. Pratap Rananavare, Respondent No.5 – party-in-person.

CORAM : MANISH PITALE, J.

DATE : 12th JUNE 2025.

P. C. :

1. Heard learned counsel for the petitioner.
2. The petitioner is aggrieved by order dated 07th May 2025, passed by respondent No.1 – State, whereby, while entertaining a revision application filed by respondent Nos.4 to 7 an order of status-quo has been granted. According to the petitioner, this has resulted in the re-development work of the Society being brought to a standstill, despite the fact that majority of the members are in support of such re-development. This claim is opposed by respondent No.5, one of the contesting respondents, who is appearing in person.
3. The fundamental question raised in the present writ petition is with regard to the maintainability of the proceedings before respondent No.1

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by relying upon Full Bench judgment of this Court in the case of **Shilpchintamani Co-operative Housing Society Limited Vs. Prasad Govindrao Jamdar and others** (judgment and order dated 14th September 2023, passed in Writ Petition No.4589 of 2011). It is contended that the said Full Bench judgment clarifies and reiterates the position of law that a second revision application is not maintainable under the provisions of the Maharashtra Co-operative Societies Act, 1960. It is the case of the petitioner that the subject matter of challenge in the revision application before the respondent No.1 is an interim order passed by the Divisional Joint Registrar of Co-operative Societies itself in a revision application and therefore, by applying the position of law clarified by the Full Bench of this Court, the respondent No.1 could not have entertained the second revision application.

4. The learned counsel for the petitioner also sought to make submissions on the merits of the matter but, this Court at this stage, is not inclined to consider the same.

5. The respondent No.5 appearing in person submitted that this Court may not entertain the present writ petition, as the proceedings before respondent No.1 are coming up on 18th June 2025, for further consideration. A distinction was sought to be made as regards the facts of the present case, while interpreting the position of law clarified by this Court in the aforesaid

Full Bench judgment.

6. This Court has perused the documents on record. It is evident that by order dated 07th April 2025, the Divisional Joint Registrar of Co-operative Societies, granted stay of an order dated 14th February 2025, passed by the Deputy Registrar of Co-operative Societies. This order was passed in a revision application. The proceeding initiated before the respondent No.1 by the contesting respondent Nos.4 to 7 is itself styled as a revision application in which the impugned order has been passed granting status-quo. Considering the law laid down by this Court in the aforementioned Full Bench judgment, a strong *prima facie* case is made out by the petitioner to claim that such a second revision application before the respondent No.1 is not maintainable. This goes to the very root of the matter and therefore, a strong *prima facie* case is also made out to seek stay of not only the impugned order dated 07th May 2025, but also stay of further proceedings before the respondent No.1.

7. In view of the above, issue notice for final disposal, returnable on **21st July 2025.**

8. Ms. Deshmukh, learned AGP waive notice on behalf of respondent Nos.1 to 3.

9. Respondent No.5 appearing in person waives notice.

10. The petitioner is additionally directed to serve respondent Nos.4 and 6 to 8 by way of private service and to file affidavit of service within three weeks from today.

11. In the meanwhile, the impugned order dated 07th May 2025, passed by the respondent No.1 is stayed and it is further directed that proceedings before the respondent No.1 shall also remain stayed.

12. It is further directed that the Divisional Joint Registrar of Co-operative Societies before whom revision application No.91 of 2025 is pending, shall consider and dispose of the said revision application expeditiously.

(MANISH PITALE, J.)