

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

WRIT PETITION NO. 7560 OF 2025

Kothari Industrial and Ware House Premises
Cooperative Society Ltd. ... Petitioner
Versus
The State of Maharashtra & Ors. ... Respondents

Ms. Leena Patil i/by Anjali Risbud for the Petitioner.
Mr. S. D. Rayrikar for State-Respondent Nos.1 and 2.
Mr. Mayur Khandeparkar a/w S. Parthasarthy and Darshana
Manjrekar i/by One Point Legal Solutions for Respondent No.3.

CORAM: MANISH PITALE, J.
DATE : 16th JUNE 2025

P.C. :

. Heard learned counsel for the petitioner.

2. Although, an alternative remedy of filing a revision application before the Revisional Authority under Section 154 of the Maharashtra Cooperative Societies Act, 1960, is available to challenge the impugned order, the learned counsel for the petitioner submits that since the original proceeding initiated before the Assistant Registrar of Cooperative Societies under Section 79 of the said Act itself was without jurisdiction, the petitioner is entitled to maintain the present writ petition before this Court.

3. Ms. Patil, learned counsel for the petitioner relied upon judgment of this Court in the case of *Maitri Park Co-operative*

Housing Society Ltd. v/s. Virendra Khanna & Ors., (2019) 1 MhLJ 109.

4. Issue notice, returnable on 29th July 2025.
5. Mr. Rayrikar, learned AGP, waives notice on behalf of respondent Nos.1 and 2. Mr. Khandeparkar, learned counsel waives notice on behalf of respondent No.3.
6. Reply affidavit be filed within four weeks from today.
7. In the meanwhile, there shall be ad-interim relief in terms of prayer clause (c), till the next date of listing.

MANISH PITALE, J.