

Divisional Joint Registrar, Co- ... Respondent
operative Societies.

Mr. Akshay Patil with Jarin Doshi and Devika Madekar I.by Malvi Ranchoddas and Co. for the respondent no. 3.

whereby Shri R.G. Redekar has been appointed as an authorised officer to manage the affairs of Desai Harmoni Co-operative Housing Society Limited.

6. The petitioner has assailed the said order in an appeal before the Divisional Joint Registrar, being Appeal No. 139 of 2025. The Appellate Authority heard the said appeal along with Revision Application No. 227 of 2020 on 30th June 2025 and posted the matter for further hearing on 21st July 2025.

7. Despite the pendency of the said appeal, the petitioner has approached this Court assailing the legality and validity of the said order.

8. Since an efficacious statutory remedy has already been invoked by the petitioner, this Court need not entertain the petition.

9. Mr. Siddesh Bhole, learned counsel for the petitioner, submits that there is non-compliance of the mandate contained in Section 77A of the Maharashtra Societies Act, 1960 and mandatory notice not been inviting objections and suggestions has published at the office of the society.

10. Mr. Akshay Patil, learned counsel for the respondent, on the other hand, submits that the Competent Authority has invoked the second proviso to Section 77A which empowers the Competent Authority to pass an order under the main part of Section 77A, without publishing such notice.

11. The legality and propriety of the aforesaid course adopted by the

Assistant Registrar is required to be tested in the Appeal, which is sub-judice.

12. It appears that, the authorised officer has taken charge of the affairs of the society.

13. By a separate order in Revision Application No. 227 of 2020, this Court has directed the Revisional Authority to prepone the Revision Application. Since both the Revision and the Appeal were being heard together, it may be expedient that the appeal also be preponed and heard by the appellate authority on 14th July 2025.

14. The parties shall appear before the appellate authority on 14th July 2025.

15. The appellate authority is requested to make an endeavour to hear and decide the stay application in the appeal as expeditiously as possible and, preferably, within a period of four weeks.

16. In the meanwhile, the authorised officer shall not take any policy decision, and only look after day-to-day management of the affairs of the society.

17. All the contentions of all the parties are kept open.

18. The petition stands disposed.

(N.J. JAMADAR, J)