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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10398 OF 2025

Shivprasad SRA Cooperative
Housing Society Limited ... Petitioner

V/s.

Sahyadri SRA Cooperative Housing
Society Limited & Ors. ... Respondents

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Mr. Rakesh Agrawal with Mr. Parmeshwar A. Bhise for
the petitioner.

Mr. Chetan Yadav i/by Mr Narendra Musale for
respondent No.1.

Ms. Priyanka Bhadrashete for respondent No.2 to 4.

Ms. Kavita N. Solunke, Additional G.P with Smt. Leena
Patil, 'B' panel AGP for respondent No.4-State.

CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 25, 2025

P.C.:

1. The challenge in this writ petition concerns the validity of the order registering the housing society. I have examined the order passed by the Registrar while issuing the certificate of registration. The order contains only a bare certification. It discloses no reason. It shows no application of mind. Registration of a society affects rights of persons who may oppose such registration. The authority exercising statutory power must record the basis on which it reaches its satisfaction. Section 9 of the Maharashtra Cooperative Societies Act expects the Registrar to

consider the material placed before him and then take a reasoned decision. Absence of reasons renders the order unsustainable.

2. This Court in *Shree Jagrutti Cooperative Housing Society and another versus Shree Jagruti CHS Proposed and others*, Writ Petition No. 11339 of 2025 decided on 24 November 2025, examined an identical issue. In that case also the Registrar granted registration without giving any reason. The Court held that such an exercise cannot stand. The authority must show that it has considered the proposal, objections if any, and the statutory requirements. The decision in that case lays down the governing principle that a registration order without reasons violates the mandate of the Act.

3. The present case stands on the same footing. The Registrar has not set out any reason that led to the grant of registration. The impugned order dated 15 May 2025 and the certificate of registration dated 26 August 2024 issued by respondent No. 2 cannot be upheld. They are quashed and set aside.

4. The matter requires a fresh decision by the competent authority. The proceedings are therefore remitted to respondent No. 2. The authority shall give a fair opportunity of hearing to all parties. Each party must get a chance to place its case on record. The authority must consider all relevant material before taking a final view.

5. The parties shall appear before respondent No. 2 on **8 December 2025**.

6. Respondent No. 2 shall examine the contentions of all sides. The authority shall apply Section 9 of the Maharashtra Cooperative Societies Act. A reasoned order shall be passed within six weeks from the date the parties appear. The authority shall set out the material considered, the findings reached, and the reasons that support the conclusion.

7. The writ petition stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)