

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10867 OF 2025**

Mukti Narayan Co-op. Hsg. Soc. Ltd. ...Petitioner

Versus

The State of Maharashtra and ors. ...Respondents

Mr. Hemant Ghadigaonkar, a/w Nikhil Kamble, for the
Petitioner.

Ms. D. S. Deshmukh, AGP for the State/Respondent Nos.1 to
3.

Mr. Sarthak Diwan, a/w Shantanu Palaskar, for Respondent
No.4.

CORAM: N. J. JAMADAR

DATED: 13th AUGUST, 2025

PC:-

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order dated 5th June, 2025 passed by the Divisional Joint Registrar in Revision Application No.230 of 2023, whereby the Divisional Joint Registrar has set aside the communication dated 31st July, 2023, issued by the Deputy Registrar, Co-operative Society, to the Deputy Director, Town Planning, Vasai-Virar City Municipal Corporation.
3. The Joint Registrar was persuaded to set aside the said communication as the Joint Registrar was of the view that the Deputy Registrar has exceeded the remit of his jurisdiction in addressing the said communication which recommended the

appointment of M/s. Shivsai Builders and Developers as a developers for the redevelopment of Muktinarayan Co-operative Housing Society Ltd., the petitioner herein, pursuant to the purported resolution passed in the Special General Body Meeting of the Society held on 16th July, 2023 in the presence of an authorized officer nominated by the Deputy Registrar in accordance with the State Government Directive.

4. The impugned order sets aside only the recommendation made by the Deputy Registrar as the Government Directive does not empower the authorities under the Act, 1960, to make such recommendation. It is, thus, clarified that the impugned order would not bear upon the decision/resolution passed by the petitioner Society in the Special General Body Meeting held on 16th July, 2023.

5. Subject to the aforesaid clarification, the petition stands disposed.

6. All contentions of all the parties with regard to the said decision/resolution in the Special General Body Meeting are kept open for consideration before the appropriate forum in the appropriate proceeding, as permissible in law.

7. The petition stands disposed.

[N. J. JAMADAR, J.]