

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.13527 OF 2025

Rupali Mahadev Loke & Ors. ... Petitioners

V/s.

The State of Maharashtra & Ors. ... Respondents

ATUL
GANESH
KULKARNI

Digitally signed by
ATUL GANESH
KULKARNI
Date: 2025.12.11
15:18:04 +0530

Mr. Hemant Ghadigaonkar for the petitioners.

Ms. Aloka A. Nadkarni, AGP for respondent Nos.1 & 2-
State.

Ms. Uma Wagle for respondent Nos.4 to 11.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 11, 2025

P.C.:

1. The dispute raised in the writ petition concerns an order made under Section 75(5) of the Maharashtra Cooperative Societies Act, 1960. Section 154 permits a revision against such an order.

2. When a statute creates an appellate or revisional forum and vests that forum with adequate jurisdiction, the High Court ordinarily expects the aggrieved party to invoke that statutory route. The writ court intervenes only when the statutory remedy is illusory or ineffective. That situation has not been shown. The petitioners have a complete and efficacious remedy in revision, which they must pursue.

3. The petitioners also challenge the exercise of powers under Section 77A of the Act. The statute again provides a specific avenue for appeal.

4. In view of the above, it is unnecessary to examine the merits of the challenge in the present writ petition. The petitioners are free to raise every contention available to them under law before the revisional authority. All questions are expressly kept open so that the petitioners may not be prejudiced in prosecuting their statutory remedy. The writ petition is disposed of on this limited ground.

5. Learned Advocate for the petitioners sought continuation of interim relief. The request must be examined in light of the principles laid down by this Court. In view of *Kailash Maheshwari and others versus State of Maharashtra, Writ Petition No. 10587 of 2025, decided on 25 September 2025*, the interim relief in respect of order under Section 75(5) will continue for four weeks from today. It will operate only for the other members of the managing committee. It will not extend to the Chairman, Secretary and Treasurer.

(AMIT BORKAR, J.)